

Washington, Thursday, January 7, 1943

Regulations

TITLE 7-AGRICULTURE

Chapter XI—Food Distribution Administration

[Food Distribution Order 2]
PART 1401—DAIRY PRODUCTS

PRODUCERS AND AUTHORIZED RECLIVERS, OF BUTTER REQUIRED TO SET ASIDE BUTTER

Pursuant to the authority vested in me by Executive Order No. 9280, dated. December 5, 1942, and to assure an adequate supply and efficient distribution of butter to meet war and civilian needs, It is hereby ordered as follows:

§ 1401.11 Butter, required to be set aside—(a) Definitions. When used in this regulation, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "butter" means the food product usually known as butter and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter, and containing not less than 80 percent by weight of milk fat, all tolerances having been allowed.

all tolerances having been allowed.

(2) The term "person" means any individual, partnership, corporation, association, or other business entity.

sociation, or other business entity.

(3) The term "receiver" means any person who has facilities or access to facilities which enable him to receive, store, and ship butter in carload lots and who customarily ships butter in carload lots.

(4) The term "authorized receiver" means any receiver who holds a letter of authority, issued by the Director, to receive butter set aside pursuant to the provisions hereof.

(5) The term "Director" means the Director of Food Distribution Administration, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(b) Restrictions on producers or authorized receivers of butter. (1) Every person who has produced more than 12,000 pounds of butter in any calendar

month of 1942 or in January 1943 shall ret aside and hold for delivery to the Food Distribution Administration (including, but not being limited to, the Federal Surplus Commodities Corporation), Army, Navy, Marine Corps, Coast Guard, or any other governmental agency designated by the Director, at least 30 percent of all butter produced by such person during February 1943 and each subsequent month, regardless of the quantity produced by him during and after February 1943; and every person who has not produced more than 12,090 pounds of butter in any calendar month of 1942 or in January 1943 but who produces more than 12,000 pounds of but-ter during February 1943 or any subsequent month shall thereafter each month set aside and hold for delivery to such agencies at least 30 percent of all butter produced by him regardless of the quantity produced by him.

(2) Notwithstanding the restrictions of paragraph (b) (1) hereof, any person required by the provisions of said (b) (1) to set aside butter may, at his option, sell or deliver all or part of the butter, set aside pursuant to the provisions hereof, to any authorized receiver who agrees to set aside, out of the butter in his possession or control, a quantity of butter equal to the quantity of such set aside butter received by him, and such authorized receiver shall so set aside such quantity of butter. Each person delivering or shipping butter to an authorized receiver shall deliver to such authorized receiver a certificate, in duplicate, in substantially the following language (with the appropriate information inserted in the blank spaces):

This is to certify that of the _____ pounds of butter shipped or delivered on _____, pounds are butter set acide pursuant to the provisions of Ford Distribution Order No. 2, issued by the Sceretary of Agriculture of the United States on ______, 19...; and such amount of butter thus set acide is required to be set acide by you pursuant to the provisions of said order. The belance, _____ pounds, is butter free from the restrictions of said order.

(Signature of Producer)

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Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer

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This will acknowledge receipt of the above indicated quantity of butter set aside pursuant to said order.

(Signature of Authorized Receiver)

The aforesaid certificate shall be signed in duplicate by the authorized receiver who shall return one copy to the producer who delivered or shipped the butter and shall retain the original for one year after the date of receipt thereof.

(3) All butter set aside pursuant to the provisions hereof shall be stored under the same conditions of storage customarily observed to maintain the quality of such butter, and all such butter shall be salted unless the producer arranges with an authorized receiver to deliver unsalted butter to such receiver who will set aside an equivalent quantity of salted butter, or unless the producer or authorized receiver arranges with the agency or agencies, for whom the butter is set aside, to deliver unsalted butter to such agency or agencies.

(4) Any receiver who desires to become an authorized receiver shall file with the Director an application, upon a form approved by the Director, setting forth the information requested in said form of application. Thereupon, the Director shall consider such application and issue a letter of authority if, in the opinion of the Director, the issuance of such letter of authority will tend to effectuate the purposes of this order. Any letter of authority may be revoked at any time by the Director. No person shall represent himself to be an authorized receiver unless he holds a letter of authority duly issued by the Director pursuant to the provisions hereof. No person other than an authorized receiver shall receive or, after receipt, deal in butter set aside pursuant to the provisions hereof.

(5) If no governmental unit or agency specified in the provisions in (b) (1) hereof has contracted for, or declared its intention or desire to contract for, any portion of set aside butter, within 30 days after the end of the month in which such set aside butter was required to be set aside by the manufacturer thereof, such portion of the butter thus set aside is released from the restrictions of the provisions in (b) (1) and (2) hereof. Quantities set aside pursuant to the provisions hereof may also be released by notice to that effect from the Director.

(6) The restrictions hereof shall be observed without regard to the rights of creditors, existing contracts or payments made. This order shall not, however, be construed as reducing the amount of butter which any person is required to offer or deliver, under existing contracts or contracts subsequently entered into with any governmental agency, to any governmental agency specified in or pursuant to the provisions in (b) (1) hereof.

(c) Records and reports. Each person producing more than 1,000 pounds of butter a month, each authorized receiver, and every other person to whom this order applies shall maintain such records for such periods of time, and shall execute and file such reports and

submit such information as the Director may from time to time request or direct, and within such times as he may pre-

scribe.

(d) Audits and inspections. Every producer of butter, authorized receiver, or any other person to whom this order applies shall permit inspections of his stocks of butter and premises used for the manufacture or storage of butter, and of his books, records, and accounts by the Director or any person designated by him.

(e) Territorial scope. Any producer of butter or authorized receiver doing business in one or more of the fortyeight States or the District of Columbia is subject to the provisions hereof, but the provisions hereof shall not apply to any person doing business exclusively in Territory or Possession of the United States.

(f) Petition for relief from hardship. Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth, in said petition, all pertinent facts and the reasons for such petition being approved. The Director may thereupon take such action as he deems appropriate, and such decision by the Director shall be final.

(g) Violations. Any person who wilfully violates any provision of this order, or who, in connection with this order. wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control, and may be deprived of priority assist-

(h) Communications to Department of Agriculture. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref: FD-2.

(i) Delegation of authority. The Director of Food Distribution is hereby designated to administer the provisions

hereof.

(j) Effective date. This order shall be effective as of 12:01 a. m., e. w. t., February 1, 1943.

(E.O. 9280, 7 F.R. 10179)

Issued this 5th day of January 1943. CLAUDE R. WICKARD, Secretary of Agriculture. [SEAL]

[F. R. Doc. 43-295; Filed, January 6, 1943; 11:07 a. m.]

[Food Distribution Order 3]

PART 1405—FRUITS AND VEGETABLES RESTRICTIONS ON MANUFACTURE AND SALE OF CITRUS FRUIT JUICE

Pursuant to authority vested in me by Executive Order No. 9280, issued December 5, 1942, and in order to assure an adequate supply and efficient distribution of citrus fruit juice, It is hereby ordered as follows:

§ 1405.1 Citrus fruit juice—(a) Definitions. For the purposes of this order:

(1) "Single-strength juice" means the natural juice as extracted from oranges and lemons, sweetened or unsweetened, or any combination of such natural juice with any other citrus juice, packed in any closed container suitable for storage or shipment.

(2) "Concentrated juice" means the juice extracted from oranges, grapefruit, or lemons, treated and processed in such manner as to increase the density to more than 20 degrees Brix at 20 degrees

Centigrade.

(3) "Canned grapefruit juice" means the natural juice as extracted from grapefruit, sweetened or unsweetened. packed in any closed container suitable

for storage or shipment.

"Government war contracts" means sales contracts of any type entered into between a manufacturer directly, or indirectly through third parties, and a Government agency.

(5) "Person" shall include a person, firm, corporation, association, or any

other business unit.

(6) "Processor" means any person in the business of extracting juice from fresh oranges, grapefruit, or lemons for

processing and packing for shipment as single-strength or concentrated juice,

or as canned grapefruit juice.
(7) "Director" means the Director, Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Di-

rector,
(8) "Government agency" or "Government agencies" means and includes the Army, Navy, Marine Corps, Coast Guard, War Shipping Administration, United States Maritime Commission, or any agency of the United States purchasing supplies for the foregoing, for the American Red Cross, or for delivery to or for the account of the government of any country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(9) "Daliver" or "delivery" means delivery pursuant to a contract of sale.

(b) Restrictions on production, calc, and delivery of citrus fruit juice. On and after January 9, 1943, without regard to existing contracts, no processor shall produce any concentrated juice other than concentrated juice meeting the specifications prescribed either by the procurement division of any Government agency or by a Government war contract with such processor.

(2) Without regard to existing contracts, no processor shall sell or deliver. and no State or Federal Government agency and no person shall buy or receive any concentrated juice produced after January 9, 1943, except pursuant to

a Government war contract.

(3) Without regard to existing contracts, on or after January 9, 1943, no processor shall produce any singlestrength juice, except pursuant to a Government war contract: Provided, That single-strength juice may be produced in the quantity specified in and subject to the restrictions of War Production Board Conservation Order M-86 and supplements thereto, as amended.

(4) Without regard to existing contracts, during the period beginning January 6, 1943, and ending March 31, 1943, no processor shall sell or deliver, and no State or Federal Government agency and no person shall buy or receive other than for transportation or storage from any processor any canned grapefruit juice, except pursuant to a Government war contract.

(c) Records and reports. All percons affected by this order shall maintain such records for such periods of time, and shall execute and file such reports and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(d) Audits and inspections. Every processor and any other person to whom this order applies shall permit inspections of his stocks of single-strength and concentrated juice and canned grapefruit juice, of his premises used for the manufacture or storage of singlestrength or concentrated juice or canned grapefruit juice, and of his books, records, and accounts by the Director.

(e) Patition for relief from hardship. Any person affected by this order who conciders that compliance herewith would work an exceptional and unreaconable hardship on him may apply in writing for relief to the Director, setting forth, in said patition, all partinent facts and the reasons for such patition being approved. The Director may, upon the basis of such application and other information, take such action as he deems appropriate, and such decision by the Director shall be final.

(f) Violations. Any person who wilfully violates any provision of this order or, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

(g) Communications. All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the United States Department of Agriculture, Food Distribution Administra-

tion, Wathington, D. C., Ref: FD 4. (h) Delegation of authority. The Director is hereby designated to administer the provisions hereof.

(i) Effective date. This order shall be effective on January 6, 1943.

(E.O. 9220, 7 FR. 10179)

Issued this 5th day of January 1943. CLAUDE R. WICKARD, [SEAL] Secretary of Agriculture.

[F. B. Doc. 43-234; Filed, January 6, 1943; 11:07 a. m.]

TITLE 10-ARMY: WAR DEPARTMENT Chapter I-Aid of Civil Authorities and Public Relations

PART 5-SAFIGUARDING TECHNICAL INFORMATION

PHOTOGRAPHS, SYNTCHUS, LTC., OF PHILITARY ACTIVITIES

Section 5.27 is hereby added as follows:

§ 5.27 Photographs, eletches, etc., of military activities. The following inctructions will govern regarding the taking of photographs and making of clietches or other representations of military subjects, and will apply as well to officers, enlisted men, and civilian personnel of the War Department:

(a) No cameras or photographic caulpment of any type will be permitted on any installation, post, camp, station, or military reservation without the exprecs permission of the commanding officer of that installation, post, camp, sta-

tion, or military reservation.

(1) Cameras and photographic equipment in possession of any unauthorized person entering a post will be surrendered until the bearer thereof leaves euch post.

(2) Films, cameras, and equipment of persons violating or attempting to violate the statute or the regulations issued thereunder will be confiscated immediately and, together with the bearer thereof, turned over to the commanding officer.

(b) Permission to take photographs of military subjects will continue in effect only for the period of time specified by the person granting such authority.

(c) In each instance the person authorized to take specific, clearly defined photographs will be accompanied while such photographs are being taken, by an officer or competent enlisted man, or by plant protection personnel.

(d) Examples of subjects of which photographs, drawings, sketches, and maps will not be permitted except when

expressly authorized are:

(1) United States Army personnel and equipment engaged in maneuvers.

(2) Airplanes, munitions, tanks, etc., in transit from one post to another regardless of the mode whereby such matériel is transported.

(3) Wrecks of items of military

equipment.

(e) Officers charged with carrying out these instructions may request full cooperation of the local police and law enforcement agencies in discovering and apprehending persons violating or attempting to violate the law or regulations. (R. S. 161; 5 U.S.C. 22) [Cir. 416, W.D., December 22, 1942]

[SEAL]

J. A. Ulio. Major General, The Adjutant General.

[F. R. Doc. 43-288; Filed, January 6, 1943; 9:46 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I-Federal Trade Commission [Docket No. 3555]

PART 3-DIGEST OF CEASE AND DESIST **ORDERS**

UNITED STATES MALTSTERS ASSOCIATION. ET AL.

§ 3.24 (d) Combining or conspiring-To enhance, maintain or unify prices. In connection with the offering for sale, sale and distribution of malt in commerce, and on the part of respondent Association, and some 18 corporations, members thereof, and on the part of their respective officers, etc., entering into, continuing, cooperating in, or carrying out any common course of action, agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto, to (1) establish, fix, or maintain prices, terms, or conditions of sale for malt, or adhere to or promise to adhere to the prices, terms, or conditions of sale so fixed; (2) hold or participate in any meeting, discussion, or exchange of information among themselves or under the auspices of respondent United States Maltsters Association or any other medium or agency concerning proposed or future prices, terms, or conditions of sale; (3) exchange, distribute, or relay among manufacturing respondents or

any of them or through respondent United States Maltsters Association or through any other medium or central agency, price lists or other information showing current or future prices, terms, or conditions of sale or information showing current or future prices, terms, or conditions of sale of any particular respondent; (4) authorize or permit examination of the books or other records of the respondent manufacturers by any agent of the United States Maltsters Association or by any agent of the respondents or any of them, to determine or check the prices at which any given respondent manufacturer has made sales, is currently making sales, or expects to make sales; (5) formulate, establish, put into operation, continue, or use in any way any reporting plan using Chicago, Illinois, or any other common basing point which results in the establishment and maintenance among the respondent members or any two or more of them of uniform delivered prices to any given destination; (6) quote prices, terms, and conditions of sale determined under a method or system of a common basing point for the purpose, or with the effect, of making the delivered price quotation of any two or more of the respondents the same to any given destination; (7) formulate or put into operation any other practice or plan which has the purpose or the tendency or effect of fixing prices for malt, or otherwise restricting, restraining, or eliminating competition in the sale and distribution of such products; or (8) employ or utilize respondent United States Maltsters Association or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C. sec. 45b) [Cease and desist order, United States Maltsters Association, et al., Docket 3555, December 29, 1942]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of December, A. D. 1942.

In the Matter of United States Maltsters Association, Chilton Malting Company, The Columbia Malting Company, Froedtert Grain & Malting Co., Wm. E. Kreiner & Sons, Inc., The Kurth Malting Company, Interior Malt & Grain Co., The Ladish-Stoppenbach Company, George J. Meyer Malt & Grain Corp., Milwaukee Western Malt Company, Northwestern Malt & Grain Company, The Francis Perot's Sons Malting Co., Rahr Malting Co., H. W. Rickel & Company, L. Rosenheimer Malt & Grain Co., The Konrad Schreier Company, Albert Schwill & Company, Daniel D. Weschler & Sons, Inc., West Bend Malting Company. Wisconsin Malting Company.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answers of the respondents, testimony and other evidence in support of the allegations of said complaint and in opposition thereto, taken before Robert S. Hall, a trial examiner of the Commission there-

tofore duly designated by it, report of Webster Ballinger, a trial examiner appointed to prepare and file a trial examiner's report upon the evidence, vice Robert S. Hall, deceased, and exceptions filed thereto, briefs filed in support of the complaint and in opposition thereto, and oral arguments of counsel; and the Commission having made its findings as to the facts and its conclusion that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents, United States Maltsters Association, an unincorporated association, Chilton Malting Company, a corporation, The Columbia Malting Company, a corporation, Froedtert Grain & Malting Co., a corporation, Wm. E. Kreiner & Sons, Inc.. a corporation, The Kurth Malting Company, a corporation, The Ladish-Stoppenbach Company, a corporation, George J. Meyer Malt & Grain Corp., a corporation, Milwaukee Western Malt Company, a corporation, Northwestern Malt & Grain Company, a corporation, Perot Malting Company, a corporation, Rahr Malting Co., a corporation, H. W. Rickel & Company, a corporation, L. Rosen-heimer Malt & Grain Co., a corporation, Schreier Malting Company, a corpora-tion, Albert Schwill & Company, a corporation, Daniel D. Weschler & Sons, Inc., a corporation, West Bend Malting Company, a corporation, and Wisconsin Malting Company, a corporation, and their respective officers, agents, representatives, and employees, in connection with the offering for sale, sale, and distribution of malt in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any common course of action, agreement, understanding, combination, or conspiracy between and among any two or more of said respondents or between any one or more of said respondents and others not parties hereto to do or perform any of the following acts or practices:

(1) Establishing, fixing, or maintaining prices, terms, or conditions of sale for malt, or adhering to or promising to adhere to the prices, terms, or con-

ditions of sale so fixed;

(2) Holding or participating in any meeting, discussion, or exchange of information among themselves or under the auspices of respondent United States Maltsters Association or any other medium or agency concerning proposed or future prices, terms, or conditions of sale:

(3) Exchanging, distributing, or relaying among manufacturing respondents or any of them or through respondent United States Maltsters Association or through any other medium or central agency, price lists or other information showing current or future prices, terms, or conditions of sale or information showing current or future prices, terms, or conditions of sale of any particular respondent;

(4) Authorizing or permitting examination of the books or other records of the respondent manufacturers by any agent of the United States Maltsters Association or by any agent of the respondents or any of them, to determine

¹Filed as part of the original document.

or check the prices at which any given respondent manufacturer has made sales, is currently making sales, or ex-

pects to make sales:

(E) Formulating, establishing, putting into operation, continuing, or using in any way any reporting plan using Chicago, Illinois, or any other common basing point which results in the establishment and maintenance among the respondent members or any two or more of them of uniform delivered prices to any given destination;

(6) Quoting prices, terms, and ronditions of sale determined under a method or system of a common basing point for the purpose, or with the effect, of making the delivered price quotation of any two or more of the respondents the same to

any given destination;

(7) Formulating or putting into operation any other practice or plan which has the purpose or the tendency or effect of fixing prices for malt, or otherwise restricting, restraining, or eliminating competition in the sale and distribution of such products;

(8) Employing or utilizing respondent United States Maltsters Association or any other medium or central agency as an instrument, vehicle, or aid in performing or doing any of the acts and practices prohibited by this order.

It is further ordered. That the complaint herein be, and it hereby is, dismissed as to Interior Malt & Grain Co.,

a corporation.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON, Secretary.

[F. R. Doc. 43-306; Filed, January 6, 1943; 11:58 a.m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes
[T.D. 5208]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

TAXABILITY OF FEDERAL CIVIL SERVICE RETIREMENT DEDUCTIONS

Taxability of amounts deducted and withheld, pursuant to the Federal Civil Service Retirement Act, as amended, from the compensation paid to Federal employees for services rendered on and after January 24, 1942, and of amounts paid to retired employees.

The amounts deducted and withheld, pursuant to the amended Civil Service Retirement Act of May 29, 1930, 46 Stat. 468, 475, U.S.C. Title 5, Ch. 14, as further amended by the Act of January 24, 1942, Public Law 411, 77th Cong., Ch. 16, 2nd Sess., from the basic salary, pay, or compensation of those employees in the Civil Service of the United States for services rendered on and after January 24, 1942 (the effective date of the amending Act), should be

reported by such employees as grees income for the year in which deducted and withheld. The total compensation of such employees should be reported in gross income and no deduction can be taken for the amounts deducted and withheld inasmuch as such amounts are payments made toward the purchase of annuities provided for in the Act and are not allowable deductions for income tax purposes. The rights of such employees in the amounts deducted and withheld are not substantially different from the rights of employees in the amounts deducted and withheld from their basic compensation under the Civil Service Retirement Act prior to the enactment of the Act of January 24, 1942, which were held to be taxable income in the year withheld. ((1921) T.D. 3112, 4 Cum. Bul. 76)

The annuities paid to retired employees are subject to tax under section £2 (b) (2) of the Internal Revenue Code, the aggregate premiums or consideration paid for such annuities being the total of the amounts previously withheld from the compensation of the employees.

(Secs. 22 and 62 of the Internal Revenue Code, 53 Stat. 9, 32, 26 U.S.C., 1940 ed., 22, 62)

GUY T. HELVERING,

Commissioner of Internal Retenue.
Approved: January 4, 1943.

John L. Sullivan.

Acting Secretary of the Treasury.

[F. R. Doc. 43-297; Filed, January 6, 1943; 11:27 a. m.]

TITLE 30-MINERAL RESOURCES

Chapter III—Bituminous Coal Division [Decket No. A-1767]

PART 330—MINIMULI PRICE SCHEDULE, DISTRICT NO. 10

ORDER GRAHTHIG RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the patition of district Board No. 10 for establishment of price classifications and minimum prices for Mine Index No. 1537.

An original patition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and parmanent, of price classifications and minimum prices for the coals of the Pioneer Mine, Mine Index No. 1537, of the Pioneer Coal Company for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the pur-

poses of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.4 (Price groups) is amended by adding thereto Supplement R-I, and § 330.10 (Special prices—(a) (2) Railroad locomotive fuel prices) is amended by adding thereto Supplement R-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filled with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered. That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise he ordered.

Dated: December 19, 1942.

[EIL]

Dan H. Whitting, Director.

Temporary and Conditionally Final Effective Minimum Prices for District No. 10

Norm: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Fart 330, Minimum Price Schedule for District No. 10 and supplements thereto.

FOR ALL SUPPLIESTS EXCEPT TRUCK § 330.4 Price groups—Supplement R-I

Price group No.	Pre luter	Mice	Mino in lex No.	Projekt engal group	Shepjizgolit	Raireai
3	Pioneer Ceal Co., The	Plancar	11537	12	Misural, III	CRI&P.

III emits per tim chall be added to the f. o. b. mine prices when fer chipment into Menhot Are is 22 to 24 inches we Mine Index No. 167 thall be included in Price Group Menhot also the come f. o. b. mine prices as other many in Price Group 13, Ethedule No. 1, Dirinit No. 10, For All Salpments Except Trucks, or all as a course and for the ment to all Market Areas and for all mere concluded Research Research Facility Control of the first things of the price of the price

§ 330.10 Special prices—(a) (2) Railroad locomotive fuel prices—Supplement R-II

Price group No.	Preducer	Miro	Mino in lix No.	Freight Cagas Causa	Shipping point	Pelroni
្ន	Pleaser Coal Co., The	Planca	# 1537	12	Microl, III_	CRICP.

431 cents per toneholl to added to the f. o. b. mino pricoswhen for ellipment into Merket Areas az to 23 instruíve. [P. B. Don. 42-249; Filiph, January B, 1843; 11:42 a. m.] [Docket No. A-1733]

PART 332—MINIMUM PRICE SCHEDULE, DISTRICT NO. 12

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 12 for the establishment of price classifications and minimum prices for certain mines in District No. 12.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manter howing for set forth, and

ner hereinafter set forth; and
No petitions of intervention having
been filed with the Division in the aboveentitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act.

poses of the Act;

It is ordered, That, pending final disposition of the above-entitled matter,

temporary relief is granted as follows: Commencing forthwith, § 332.2 (Alphabetical list of code members) is amended by adding thereto Supplement R, and § 332.24 (General prices in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered. That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Dated: December 15, 1942.

TATE T

DAN H. WHEELER, Director.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 12

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 332, Minimum Price Schedule for District No. 12 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 332.2 Alphabetical list of code members—Supplement R

[Listing of code members, mines, mine index numbers and mine origin groups, for delivery by railroad]

Code member	Mine index No.		Mine name	Mine origin group	Originating railroad	Mine origin group No.
Howard, John W. (Howard Coal Co.)	834	(1)	Howard #4	Chariton	CB&QCRI&P-M&St.L	64
Maple Coal Co	379	(ı)	Maple Coal Co _	Eddyville*Albia*	M&St.L CB&O	*79
Molloy, Jack (Jack Molloy Building Material & Coal Co.)	838	(1)	No. 2	Bussey	CB&Q-Wab	31
Stuck, S. B. (Fairview Coal	546	(1)	Fairview Coal Co.	Belknap & Ottumwa	CRI&P	78

'Indicates mines shipping via public sidings and ramps for railway delivery.

*Denotes additional shipping points and change in Mine Origin Group number. Mine Origin Group number 10 shall no longer be applicable for this mine.

FOR TRUCK SHIPMENTS

§ 332.24 General prices in cents per net ton for shipment into all market areas— Supplement T

Code member index	Mine index No.	Mine	Price group No.	County	Chunk	8 Standard lump	x 2", 6 x 2"	Bmall egg, 4 x 2", 3 x	run	x 1½ %%	Domostio stoker 11%", 1x 916"	α Screenings 2", 1%",	o Industrial stoker, Or. 2", 135", 135", x 0	0x,,0% 10
American Coal Co. (T. D. Macksey).	798	American Coal Co.	19-A	Marion	310	300	290	280	275	275	275	165	225	105
D. C. Coal Co. (E. L. Dooley).	836	D. C. Coal Co	δ	Appanoose_	290	280	270	260	280	270	280	205	280	105
Molloy, Jack (Jack, Molloy Building Ma- terial & Coal Co.).	838	No. 2	18	Marion	305	295	285	275	275	275	275	165	225	105

[F. R. Doc. 43-250; Filed, January 5, 1943; 11:42 a. m.]

[Docket No. A-1754]

PART 340—MINIMUM PRICE SCHEDULE, DISTRICT NO. 20

ORDER GRANTING RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 20 for price classifications and minimum prices for the coals of the Sunnyside No. 2 Mine of the Kaiser Company, Inc.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of the Sunnyside No. 2 Mine (Mine Index No. 206) of the Kaiser Company, Inc., is Subdistrict No. 1 of District No. 20, for all shipments except truck; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the aboveentitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 340.4 (Code member price index) is amended by adding thereto Supplement R-I, and § 340.5 (General prices; minimum prices for shipment via rail transportation) is amended by adding thereto Supplement R-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered. That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this order, unless it shall otherwise be ordered.

Petitioner requested price classifications and minimum prices for the coals of the Sunnyside No. 2 Mine for rail shipments moving only into Market Areas 234, 237 to 241, inclusive, and 247 to 254, inclusive. Price classifications and minimum prices heretofore established for the coals of all other mines in Subdistrict No. 1 of District No. 20 for rail shipments apply to coals moving into all market areas, and, with one exception, are uniform as among the coals of all such mines. Therefore, for purposes of uniformity, it has been deemed advisable to establish similar price classifications and minimum prices for the coals of the Sunnyside No. 2 Mine for rail shipments likewise into all market areas.

Dated: December 9, 1942.

[SEAL] DAN H. WHEELER,

Director.

Temporary and Conditionally Final Effective Minimum Prices for District No. 20

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 349, Minimum Price Schedule for District No. 20, and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

The following price classification and minimum prices shall be inserted in Price Schedule No. 1 for District No. 20:

§ 340.4 Code member price index—Supplement R-I

Insert the following listing in proper alphabetical order under Code Member

Producer	Mine	Minoindex No.	County	Shippingpoint	Subdistrict pries proup	Rollread	Fright erigh from No.	Roll Co.	Truck 673
Kaiser Co., Inc	Sunnyside #2	206	Carbon	Sunnyside	1	dargw	10	319.5	

§ 340.5 General prices; minimum prices for shipment via rail transportation—supplement R-II. The Sunnyside #2 Mine (Mine Index No. 206) of the Kaiser Company, Inc., shall be included in Subdistrict No. 1 in District No. 20, and the coals of that mine, in the respective size groups, shall be subject to the minimum f. o. b. mine prices for shipment via rail to all market areas, for all uses, that are presently in effect for the coals of the Sunnyside #4 Mine (Mine Index No. 22) of the Utah Fuel Company, in Subdistrict No. 1 in District No. 20.

[F. R. Doc. 43-251; Filed, January 5, 1943; 11:42 a. m.]

[Order 342]

PART 308-REPORTS AND RECORDS

MONTHLY TONNAGE REPORTS IN DISTRICT 8

An order relieving code members within District No. 8 from filing Monthly Tonnage Reports required by the Rules and Regulations prescribed by Order in General Docket No. 24.

The Bituminous Coal Producers Board for District No. 8 having requested that the code members within said district be relieved from filing the monthly tonnage reports required to be filed pursuant to the Rules and Regulations Requiring Tonnage Reports from Code Members, established by order in General Docket No. 24, dated April 7, 1942, 7 F.R. 2894, and having shown good cause why such request should be granted;

It is ordered, That § 308.26 (Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards) be amended to provide that the code members within District No. 8 be, and they are hereby relieved, until further order of the Division, from filing with the Statistical Bureau for District No. 8 monthly tonnage data on BCD. Form No. 718, with respect to coal produced on and after January 1, 1943. (Sec. 2 (a), 50 Stat. 72; 15 U.S.C. 829 (a))

Dated: January 5, 1943.

[SEAL]

DAN H. WHEELER, Director.

[F. R. Doc. 43-303; Filed, January 6, 1943; 11:45 a. m.)

[Order 343]

PART 308-REPORTS AND RECORDS

BITUMINOUS COAL PRODUCTION AND LINE OPERATION REPORTS FOR 1942

An order requiring reports from producers of bituminous coal covering production and mine operation for the calendar year 1942.

Pursuant to the provisions of the Bituminous Coal Act of 1937, and particularly section 10 (a) thereof, It is hereby ordered. That:

Part 308 is amended by adding thereto § 308.25 (a) to read as follows:

§ 308.25 Reports from producers of bituminous coal covering production and mine operation for the calendar year 1942. (a) Each producer of bituminous coal, whether or not a code member, and whether or not engaged in commerce in coal which is subject to the provisions of section 4 of the Bituminous Coal Act of 1937, shall file, on the appropriate form hereinafter designated, and in the manner hereinafter set forth, a report of production and other items relating to mine operation, as more fully described in said appropriate form. Each of the hereinafter designated forms is by this reference incorporated herein and made a part of this order.

(b) For each mine having rail or river connections regardless of the amount of daily average production, and for each mine having a daily average production of more than fifty (50) net tons irrespective of whether it has rail or river connections, the reports required by this order shall be filed on Form BCD No. 453 (Revised July 1942) T-1.

(c) For each mine without rail or river connections, having a daily average production of less than fifty (50) net tons, the report herein required shall be made on Form BCD No. 454 (Revised July 1942) T-2.

(d) The reports required to be made on Form ECD No. 453 (Revised July 1942) T-1, and the reports required to be made on Form BCD No. 454 (Revised July 1942) T-2, shall be filed at the office of the Statistical Bureau of the Division for the district in which the reporting mine is located, on or before March 1, 1943. A separate report, either on Form BCD No. 453 (Revised July 1942) T-1, or Form BCD No. 454 (Revised July 1942) T-2, as the case may be, shall be filed for each mine operated by the producer during any part of the calendar year, even though said mine may have been in operation for only a very limited period.

(e) Each report required to be filed by this order shall be certified as being correct by the producer, if an individual, or by a member of the firm, if a partnership, or in the case of a corporation, by a responsible officer thereof who is familiar with the facts.

(Sec. 10 (a), 50 Stat. 88, 15 U.S.C. Sup. E40 (a))

Dated: January 5, 1943.

[SEAL] DAR H. WHIELER,

Director.

[P. R. Dec. 43-304; Filed, January 6, 1943; 11:45 a. m.l

[Docket No. A-1362]

PART 330-MINIMUM PRICE SCHEDULE, DISTRICT No. 10

PHENORALIDURI OPHNON AND ORDER, ETC.

Memorandum opinion and order in the matter of the petition of Delta Coal Mining Company, a code member in District No. 10, for minimum f. o. b. mine prices for F. A. S. delivery from mines in District No. 10 to Minneapolis Street Railway Company, at Minne-apolis, Minnesota, pursuant to section 3 (a), special river price instructions and exceptions, schedule of effective mini-mum prices for District No. 10 For All Shipments Except Truck.

This proceeding was instituted upon a patition filed with the Bituminous Coal Division on March 18, 1942, pursuant to section 4 II (d) of the Bituminous Coal Act of 1927, by Delta Coal Mining Company, ("Delta") a code member in District 10, requesting an order permitting Minneapolis Street Railway Company of Minneapolis, Minnesota, to purchase coals shipped via river by producers in District No. 10 at minimum f. o. b. mine prices for free alongside delivery

Petitions of intervention were filed by District Boards 2, 6, 7, 8, 10 and 11. The Office of Bituminous Coal Consumers' Counsel filed a notice of appearance.

Pursuant to appropriate notice, a hearing was, held before Examiner Charles O. Fowler. The Examiner filed his report recommending that the relief prayed for be granted, and on October 6, 1942, 7 FR. 7980, a final order was entered granting the relief prayed for. On October 12, 1942, interveners Dis-

trict Boards 2 and 7 filed a petition for reconsideration and rehearing, alleging that evidence relied on as to transportation and storage costs was inaccurate. There was no opposition to this petition. An order was issued on November 20, 1942, 7 F.R. 9744, reopening the hearing for the purpose of taking certain additional evidence.

On December 2, 1942, Delta filed a motion for reconsideration of the November 20 order reopening the hearing; it requested that, on reconsideration, the patition for reconsideration and reopening of the hearing filed by District Boards 2 and 7 should be dismissed.

Delta represents that neither its counsel nor itself was served with the petition for reconsideration filed by District Boards 2 and 7 in time to answer the petition, before it was acted on favorably by the Director; that no facts were alleged in that petition which could not have been adduced at the hearing; and that when counsel for District Boards 2 and 7 challenged the accuracy of the transportation costs submitted by petitioner, counsel for Delta suggested that District Board 7's expert be called as a witness, but counsel for the district boards refused. It argues that "this dereliction of duty on the part of counsel for Districts 2 and 7 in and of itself warrants the dismissal of his petition for reconsideration", and, further, that no fact is stated in the petition for reconsideration which even if proved true. would warrant a reversal or modification of the Director's Order of October 6,

In opposition to Delta's motion, interveners District Boards 2 and 7 state that the fault in service of the petition for reconsideration, owing to the error of an inexperienced employee, has been cured and argue that no "duty exists on the part of counsel in an adversary proceeding to correct mistakes made by witnesses for the opposition or to assume any part of the burden of proof with which such parties are charged, particularly in matters wherein the facts are equally available to all parties." They contend that the duty of counsel for the intervener district boards "was more than satisfied when the errors were called to the attention of the attorney for original petitioner." Accordingly, they urge that the hearing in this proceeding be reopened, as the Director ordered.

Certainly so far as the district boards are concerned, a proceeding instituted pursuant to section 4 II (d) of the Act is hardly an "adversary proceeding." The Division is entrusted with the duty of establishing and preserving a minimum price structure in accordance with the standards of section 4 II (a) and 4 II (b) of the Act, and whenever revision is shown necessary to effectuate those standards, to make the revision. In performance of these functions, the district boards "operate as an aid to The Commission [Division] * * * subject to its pervasive surveillance and authority.

Of course, the district boards are entitled and indeed obliged to protect vigorously the interests of the code members. But they must not be unmindful of the concurrent and equally important obligation, in any proceeding to which they are parties, to help build an accurate and adequate record. Certainly they would be totally unjustified in withholding available evidence necessary to correct inaccuracies in the record. It is the function of counsel for the district

boards to act in a manner consistent with these obligations.

Nevertheless, as I stated in my order of November 20, 1942, it is important that the record in this matter be accurate. Consequently, even though counsel for the parties may have been in a position at the time of the original hearing to correct alleged errors in the evidence and failed to do so, the hearing should now be reopened. The motion of Delta filed on December 2 will be denied and my order of November 20, 1942, 7 F.R. 9744, will stand.

Accordingly, it is so ordered. Dated: January 4, 1943.

Dated: January 4, 1943. [SEAL] DAN H.

Dan H. Wheeler, Director.

[F. R. Doc. 43-302; Filed, January 6, 1943; 11:44 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VIII—Board of Economic Warfare

Subchapter B-Export Control

[Amendment 96]

Part 804—Individual Licenses

CERTIFICATES OF NECESSITY

Correction

The last Department of Commerce Schedule B number for "Rubber, manufactures * * *" in Amendment 96, 7 F.R. 11058-59, should read "2099.9" instead of "2099.1".

Chapter IX—War Production Board
Subchapter B—Director General for Operations
PART 1010—SUSPENSION ORDERS
[Suspension Order S-195]
FRIEL-BERNHEIM CO.

Friel-Bernheim Company is a partnership composed of Edward J. Friel and Daniel G. Bernheim, located in Philadelphia, Pennsylvania, and engaged in the business of fabricating and installing restaurant and bar furniture and equipment. Subsequent to September 7, 1942, they began construction at 164 West Chelten Avenue of a restaurant and bar whose estimated cost was in excess of \$200\$. This construction was begun in disregard of the provisions of Conservation Order L-41, as amended September 2, 1942, of whose provisions the partnership had notice or knowledge, and was a wilful violation of Conservation Order L-41.

This violation of Conservation Order L-41 has hampered and impeded the war effort by diverting scarce materials to uses prohibited by the War Production Board. In view of the foregoing facts: It is hereby ordered:

§ 1010.195 Suspension Order No. S-195. (a) Deliveries of material to Edward J. Friel and Daniel G. Bernheim, individually or doing business as the Friel-Bernheim Company or otherwise, their successors and assigns, shall not be accorded priority over deliveries under

any other contract or order, and no preference ratings shall be assigned or applied to such deliveries by means of Preference Rating Certificates, Preference Rating Orders, General Preference Orders and any other orders or regulations of the Director of Industry Operations or the Director-General for Operations, except as specifically authorized by the Director General for Operations.

(b) No allocation shall be made to Edward J. Friel or Daniel G. Bernheim, individually or doing business as the Friel-Bernheim Company or otherwise, their successors and assigns, of any material the supply or distribution of which is covered by any order of the Director of Industry Operations or the Director General for Operations, except as specifically authorized by the Director General

eral for Operations.

(c) Edward J. Friel and Daniel G. Bernheim, individually or doing business as the Friel-Bernheim Company, or otherwise their successors and assigns, shall not process, fabricate or use any of the metals specified in the Metals List attached to Priorities Regulation No. 11, nor shall-Edward J. Friel or Daniel G. Bernheim, individually or doing business as Friel-Bernheim or otherwise, their successors or assigns, deliver any article or item in whose fabrication there has been used or consumed or to which is attached any of the metals specified in the Metals List attached to Priorities Regulation No. 11 in any form except as specifically authorized by the Director General for Operations.

(d) The provisions of this order shall not be applicable to deliveries, fabrication or use of materials ordered, received, used or required for use to fill orders bearing preference ratings of AA-5 or

higher.

(e) This order shall take effect January 8, 1943, and shall expire September 8, 1943, at which date it shall have no further force and effect.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-273; Filed, January 5, 1943; 3:54 p. m.]

PART 1010—SUSPENSION ORDERS
[Suspension Order S-202]

PAGO-PAGO AND MALARKEY & CO.

A. F. Winter, Sam Rubin, Barney Morris, and Milton Hyatt are co-partners engaged in the business of operating a night club type of restaurant, known as Pago-Pago, in Portland, Oregon. Dan J. Malarkey, Jr., d/b/a Malarkey & Company of Portland, Oregon, is engaged in general contracting work.

On or about October 16, 1942, A. F. Winter, Sam Rubin, Barney Morris, and

¹Mr. Justice Douglas in The Sunshine Anthracite Coal Company v. Adkins, 310 U. S. 381, 388 (1941).

Milton Hyatt, of Portland, Oregon, as co-partners and lessees, and Dan J. Malarkey, Jr., d/b/a Malarkey & Company, as contractor, began construction, as defined in Conservation Order L-41, of a building located at 521-525 S. W. Stark Street, Portland, Oregon, consisting of alterations and remodelling of said building. The estimated cost of construction, as defined in said order, substantially exceeded \$200, and said persons were aware that there were restrictions on construction prior to the beginning of such construction. This constituted a wilful violation of Conservation Order L-41, as amended September 2, 1942.

This violation of Conservation Order L-41 has hampered and impeded the war effort of the United States by diverting scarce material to uses prohibited by the War Production Board. In view of the foregoing, It is hereby ordered, That:

§ 1010.202 Suspension Order S-202.

(a) Neither A. F. Winter, Sam Rubin, Barney Morris, Milton Hyatt, Dan J. Malarkey, Jr., nor any other person shall order, purchase, accept delivery of, withdraw from inventory or in any other manner secure or use material or construction plant in order to continue or complete construction of the building located at 521-525 S. W. Stark Street, Portland, Oregon, except as specifically authorized by the Director General for Operations.

(b) For a period of six months from the effective date of this order no application filed by A. F. Winter, Sam Rubin, Barney Morris, Milton Hyatt, Dan J. Malarkey, Jr., or any other person for authorization to complete the said building located at 521–525 S. W. Stark Street, Portland, Oregon, shall be granted.

(c) Nothing contained in this order shall be deemed to relieve A. F. Winter, Sam Rubin, Barney Morris, Milton Hyatt, Dan J. Malarkey, Jr. from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(d) This order shall take effect on January 10, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943.

ERNEST KANZLER,
Director General for Operations.

[F. R. Doc. 43-274; Filed, January 5, 1943; 3:54 p. m.]

PART 1010—SUSPENSION ORDERS [Suspension Order S-206]

THOMAS C. SHINN

Thomas C. Shinn of Mt. Holly, New Jersey, is a general contractor. Subsequent to September 7, 1942, without the authorization of the Director General for Operations of the War Production Board, Thomas C. Shinn began construction (as

defined in Conservation Order L-41) of the remodeling of a residence located on the farm of Israel Greenberg, near the intersection of Routes 33 and 39, approximately three miles southeast of Mt. Holly, New Jersey, at an estimated cost in excess of \$200.00. Such construction was begun in disregard of the provisions of Conservation Order L-41, as amended September 2, 1942, with which Thomas C. Shinn was familiar, and constituted a wilful violation of that order.

This violation of Conservation Order L-41 has hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing facts: It is hereby ordered:

§ 1010.206 Suspension Order No. S-206. (a) Thomas C. Shinn, his successors and assigns, are hereby prohibited from ordering, purchasing, accepting delivery of, with-drawing from inventory, or in any other manner securing or using material or construction plant in order to begin construction or to continue construction, including but not limited to maintenance and repair, except as specifically authorized in writing by the Regional Compliance Chief of the Philadelphia Regional Office of the War Production Board.

(b) Deliveries of material to Thomas C. Shinn, his successors and assigns, shall not be accorded priority over deliveries under any other contract or order and no preference ratings shall be assigned or applied to such deliveries by means of preference rating certificates, preference rating orders, general preference orders or any other orders or regulations of the Director of Industry Operations or the Director General for Operations except as specifically authorized by the Director General for Operations.

(c) No allocation shall be made to Thomas C. Shinn, his successors and assigns, of any material, the supply or distribution of which is covered by any order of the Director of Industry Operations or the Director General for Operations except as specifically authorized by the Director General for Operations.

(d) Nothing contained in this order, shall be deemed to relieve Thomas C. Shinn from any restriction, prohibition, or provisions contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect January 8, 1943, and shall empire on July 8, 1943, after which latter date it shall have no further force and effect.

(P.D. Reg. 1, as amended, 6 F.R. 6639; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec 2 (a), Pub. Laws 671, 76th Cong., as amended by Pub Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943. Ernest Kanzler,

- Director General for Operations.

[F. R. Dec. 43-275; Filed, January 5, 1943; 3:54 p. m.]

PART 1010—SUSPERSION OFFICE [Suspension Order S-207]

ISRADL GREENEERG

Israel Greenberg operates a farm near the intersection of Routes 38 and 39. approximately three miles southeast of Mt. Holly, New Jersey. Subsequent to September 7, 1942, without the authorization of the Director General for Operations of the War Production Board, Israel Greenberg began construction (as defined in Conservation Order L-41) of the remodeling of a residence located on the aforesaid farm, at an estimated cost in excess of \$200.00. Such construction was begun in disregard of the provisions of Conservation Order L-41, as amended September 2, 1942, with which Israel Greenberg was familiar, and constituted a wilful violation of that order.

This violation of Conservation Order L-41 has hampered and impeded the war effort of the United States by diverting scarce materials to uses not authorized by the War Production Board. In view of the foregoing facts, It is hereby ordered:

§ 1010.207 Suspension Order No. S-207. (a) Neither Israel Greenberg nor any other person shall order, purchase, accept delivery of, withdraw from inventory, or in any manner secure or use material or construction plant in order to continue or complete construction of the residence located near the intersection of Routes 33 and 39, approximately three miles southeast of Mt. Holly, New Jersey, except as specifically authorized by the Director General for Operations.

(b) For a period of three months from the effective date of this order, no application filed by Israel Greenberg or any other person for authorization to complete the residence mentioned in paragraph (a) hereof, shall be granted.

(c) Nothing contained in this order chall be deemed to relieve Israel Greenberg from any restriction, prohibition, or provision contained in any other order or regulation of the Director of Industry Operations or the Director General for Operations, except in so far as the same may be inconsistent with the provisions bereof.

(d) This order shall take effect on January 8, 1943.

(P.D. Reg. 1, as amended, 6 F.R. 6639; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125; 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 5th day of January 1943.

ECNEST KANZLER,

Director General for Operations.

[P. R. Dec. 43-276; Filed, January 5, 1943; 3:55 p. m.]

Chapter XI—Office of Price Administration
PART 1316—COTTON TEXTILES

[RPS 11, Amendment 8]

FINE COTTON GREY GOODS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1316.13 (d) (4) Table II the first column thereof is amended and footnote No. 4 is added as set forth below:

- § 1316.13 Appendix D: Maximum prices for fine cotton goods. * * *
- (d) Fine cotton goods not covered by contract prior to December 24, 1941.
 - (4) Maximum price tables. * *

TABLE II

Type and construction of cloth	•	*
Combed broadcloth, single ply:		*
37" 136 x 60, 4.00	i .	
37" 128 X 68, 4.20	}	
37" 144 x 76, 4.20	ı	
31" 102 X 80, 4,20	1	
Combed lawns:		
36" 76 x 72, 10.00		
30" 89 x 80, 8.75-9.50		
39" 68 x 56, 11.00		
40" 72 x 68, 9.50		
40" 72 x 63, 9.50 40" 76 x 72, 9.00		
40" 88 x 80, 8.50		
40" 96 x 92, 7.50		
40" 96 x 100, 7.00 40" 108 x 112, 6.40		
40" 103 x 112, 6.40		
46" 70 X 72, 8.00		
40 88 A 80, 7.00.		
Dimities:		
36" 96 x 68, 8.75-9.00 36" 114 x 64, 7.50-7.60		
36" 114 x 64, 7.50-7.60		
39!5" 116 X 76, 7.85-8.00	ŀ	
Voile:		
39" 60 x 52, 8.50		
Pique:		
38" 176 x 100, 3.50.		
Pongee:		
38" 72 x 100, 6.25		
Marquisettes:		
38½" 44 x 18, 12.15-12.25		
39" 44 x 22, 11.10-11.20		
39½" 46 x 20, 10.75-10.80		
39½" 48 x 22, 10.00-10.05		
39½" 46 x 20, 10.75-10.80 39½" 48 x 22, 10.00-10.05 39½" 48 x 23, 9.60-10.00		
39½" 48 x 32, 9.40-9.60		
49" 48 x 28, 7.65-8.20		
49" 48 x 32, 7.50-7.90		

- 4 Fabrics shall be subject to the above maximum prices unless they are over 4% lighter or over 6% heavier than the weights specified.
- § 1316.12a Effective dates of amend-
- (h) Amendment No. 8 (§ 1316.13 (d) (4) Table II) to Revised Price Schedule No. 11 shall be effective as of February 11. 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

Leon Henderson,

Administrator.

[F. R. Doc. 43-260; Filed, January 5, 1943; 2:53 p. m.] PART 1351—FOOD AND FOOD PRODUCTS
[MPR 262, Amendment 2]

SEASONAL AND MISCELLANEOUS FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Subparagraph (10) of paragraph (a) of § 1351.965 is amended to read as set forth below.

§ 1351.965 Definitions. (a) When used in this Maximum Price Regulation No. 262 the terms:

(10) Peanut candy is candy in which peanuts, either in processed or unprocessed form, constitute the largest single ingredient by weight, volume or cost. By "ingredient" is meant the constituent items which may in a reasonable course of business be purchased separately for the making of peanut candy. If two or more such items are combined in one ingredient as purchased for the making of peanut candy, the separate items thereof rather than the combined ingredient shall be taken in determining if the peanuts constitute the "largest single ingredient by weight, volume or cost" of the peanut candy as aforesaid.

§ 1351.967a Effective dates of amendments. * * *

(b) Amendment No. 2 (§ 1351.965 (a) (10)) to Maximum Price Regulation No. 262 shall become effective January 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON.

Administrator.
[F. R. Doc. 43–261; Filed, January 5, 1943; 2:51 p. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Ration Order 3,2 Amendment 33] SUGAR RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

A new § 1407.188 is added as set forth

Armed Forces of the United States; Certain Other Persons and Agencies

§ 1407.188 Restriction on replacement of sugar in products listed in Schedule A. The provisions of §§ 1407.184, 1407.185, and 1407.186 shall not be deemed to ap-

ply to products listed in § 1407.241, Schedule A.

Effective Date

§ 1407.222 Effective dates of amend-ments. * * *

(hh) Amendment No. 33 (§ 1407.188) shall, become effective January 11, 1943. (Pub. Law 421, 77th Cong.; W.P.B. Dir. No. 1, and Supp. Dir. No. 1E)

Issued this 5th day of January 1943.

Leon Henderson,

Administrator.

[F. R. Doc. 43-262; Filed, January 5, 1943; 2:51 p. m.]

PART 1410—WOOL [MPR 163,1 Amendment 8]

WOOLEN OR WORSTED CIVILIAN APPAREL FABRICS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Section 1410.103 (e) is hereby amended to read as set forth hereinafter.

- § 1410.103 Maximum prices for woolen and worsted apparel fabrics sold by jobbers. * * *
- (e) Sales of fabrics by manufacturers of apparel—(1) Maximum price for sales by manufacturers of apparel. The maximum price for a sale or delivery of a woolen or worsted apparel fabric by a manufacturer of apparel shall be the actual price paid therefor plus the actual freight charges paid by him for the transportation thereof to his place of business.
- (2) Optional maximum price for sales in cut-lengths of 11 yards or less to retail stores or custom tailors. In the case of sales of fabrics in cut-lengths of 11 yards or less by a manufacturer of apparel to retail stores or custom tailors, the maximum price, at the option of the seller, shall be the quotient of the sum of (i) the fabric manufacturer's net invoice price, whether or not advantage has been taken of any term discounts offered, and (ii) the freight charges actually paid for the transportation of the fabric from the supplier's shipping point to the apparel manufacturer's place of business, divided by the division factor .84.
- (3) Invoice requirements. On and after January 11, 1943, every person making sales of fabrics subject to this section shall, with respect to each such sale, deliver to the purchaser an invoice or similar document setting forth in addition to the terms thereof: (i) in the case of sales for which the maximum price is determined by subparagraph (1) above, the actual price paid and the freight charges actually paid; and (ii) in the case of sales for which the op-

^{*}Copies may be obtained from the Office of Price Administration.

¹7 F.R. 9247, 10844.

²⁷ F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8739, 8309, 8710, 8830, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845.

¹7 F.R. 4513, 4733, 4734, 5827, 5872, 6887, 6973, 7454, 7603, 8941, 8948.

tional maximum price is determined under subparagraph (2) above, the fabric manufacturer's net invoice price, the freight charges actually paid, and the division factor used.

§ 1410.117 Effective dates of amend-ments. * * *

(j) Amendment No. 8 (§ 1410.103) to Maximum Price Regulation No. 163 shall become effective on the 11th day of January 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943. LEON HENDERSON, Administrator.

[F. R. Doc. 43-265; Filed, January 5, 1943; 2:51 p. m.]

PART 1423—GUMS AND NATURAL RESIDS [MPR 297]

NATURAL RESINS

In the judgment of the Price Administrator it is necessary and proper to establish maximum prices for the sale of natural resins.

The maximum prices established by this regulation are, in the judgment of the Price Administrator, generally fair and equitable and in conformity with the general level of prices established by the General Maximum Price Regulation.1 A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1,2 issued by the Office of Price Administration, Maximum Price Regulation No. 297 is hereby issued:

AUTHORITY: §§ 1423.1 to 1423.14, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E. O. No. 9250, 7 F. R. 7871.

§ 1423.1 Maximum prices for natural resins.—Prohibition against dealing in natural resins at prices above the maximum. On and after January 11, 1943, regardless of any contract, agreement, lease, or other obligation, no person shall sell or deliver 25 pounds or more of any natural resin or processed natural resin, and no person in the course of trade or

*Copies may be obtained from the Office of - Price Administration.

business shall buy or receive 25 pounds or more of any natural resin or processed natural resin at a price higher than the maximum price set forth in Appendix A (§ 1423.14); and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1423.2 Applicability of the General Maximum Price Regulation. The provisions of this Maximum Price Regulation No. 297 supersede the provisions of the General Maximum Price Regulation 2 with respect to sales and deliveries for which maximum prices are established by this regulation.

Lower prices than those set forth in § 1423.14 of this Maximum Price Regulation No. 297 may be charged, demanded, paid or offered.

§ 1423.4 Adjustable pricing. Any person may offer or agree to adjust or fix prices to or at prices not in excess of the maximum prices in effect at the time of delivery. In an appropriate situation where a petition for amendment or for adjustment or exception requires extended consideration, the Administrator may, upon application, grant permission to agree to adjust prices upon deliveries made during the pandency of the petition in accordance with the disposition of the petition.

§ 1423.5 Erasion. The price limitations set forth in this maximum price regulation shall not be evaded, whether by direct or indirect methods, in connection with an offer, solicitation, or agreement relating to natural resins, alone or in conjunction with any other commodity or service or by way of commission, service, transportation, or other charge or discount, premium, or other privilege, or by tying agreement, or other trade understanding, or by decreasing or by discontinuing cash discounts or by making the discounts given or other terms of conditions of sale more onerous to the paraon to whom the sale is made than those in effect on January 11, 1943.

§ 1423.6 Federal and State taxes. There may be added to the maximum prices established by this Maximum Price Regulation No. 297 the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gress receipts, gross proceeds, or compensating use tax statute or ordinance, under which the tax is measured by gross proceeds or units of sale if, but only if:

(a) Such statute or ordinance requires the vendor to state the tax, separately from the purchase price paid by the purchaser, on the bill, sales check, or evidence of sale, at the time of the transaction; or,

(b) Such statute or ordinance requires such tax to be separately paid by the purchaser with tokens or other media of State or municipal tax payment: or.

(c) Such statute or ordinance was in effect during March, 1942, permitted the vendor to state such tax separately, and the vendor customarily stated and collected such tax separately from the purchace price during March, 1942; or,

(d) Such statute or ordnance became or becomes effective after March, 1942, permits the vendor to state such tax separately and such tax is in fact stated and collected by the vendor separately from the purchase price.

§ 1423.7 Records. (a) Every person making sales of natural resins and processed natural resins and every person § 1423.3 Less than maximum prices. - making purchases of natural resins and processed natural resins in the course of trade or business after January 10, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942 remains in effect, complete and accurate records of each such sale or purchase in aggregate lots of 25 pounds or more, showing the date thereof, the name and address of the seller or buyer, the price contracted for, received or paid, and the quantity of each type, weight and grade of natural resins sold or purchased.

(b) Every such seller shall keep such records in addition to or in lieu of the records required by this section as the Office of Price Administration may, from time to time, require or permit.

§ 1423.8 Licensing. (a) The provisions of Supplementary Order No. 11, (§ 1305.15)* licensing distributors of chemicals and drugs, shall be applicable to any distributor of natural resins who is subject to this Maximum Price Regulation No. 297. When used in this section, the term "distributor" shall have the meaning given to it by Supplementary Order No. 11 (§ 1305.15).

(b) The regulation and licensing provisions of §§ 1493.15 and 1493.16 of the General Maximum Price Regulation are hereby made applicable to every person selling natural resins at retail. When uned in this section, the term "selling at retail" shall have the meaning given to it by § 1489.20 (o) of the General Maximum Price Regulation.

§ 1423.9 Enforcement. (a) Persons violating any provision of this maximum price regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 297 or any price schedule, regulation or order issued by the Office of Price Administration or of any acts or practices which constitute such a violation are urged to communicate with the nearest district, State or regional

¹⁷ F.R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027, 5192, 5276, 5365, 5445, 5565, 5484, 5775, 5784, 5783, 6058, 6081, 6007, 6216, 6615, 6939, 6794, 7093, 7322, 7454, 7758, 7913, 8431, 8881, 9004, 8942, 9435, 9615, 9616, 1789, 1015

^{9732, 10155, 10454.} 27 F.R. 8961. 3 Supra, Note 1.

⁴⁷ P.R. 6167, 11657.

Small chips_____

office of the Office of Price Administration or its principal office in Washington, D. C.

- § 1423.10 Petitions for amendment. Any person seeking a modification of any provision of this Maximum Price Regulation No. 297 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.
- § 1423.11 Definitions. (a) When used in this Maximum Price Regulation No. 297 the term:
- (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Original package" means the wrapping, package or other container in which the natural resin was packed when imported into the United States, its territories and possessions, and the resin

contained therein.

(3) "Carload lot" means 30,000 pounds or more.

(4) "Natural resin" means any of a class of vegetable substances which are fossilized, hardened, or dried exudations of the types specified in Appendix A (§ 1423.14).

(5) "Processed natural resin" means a natural resin which has been modified or changed by heating, has been esterified with glycerine, has been modified with rosin or has been phenolated.

(6) "Seller's shipping point" means the point of distribution maintained by the seller from which actual shipment is

made.

- (b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.
- § 1423.12 Export sales. The maximum price at which a person may export any natural resins and processed natural resins shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation issued by the Office of Price Administration.
- § 1423.13 Effective date. This Maximum Price Regulation No. 297 (§§ 1423.1 to 1423.14 inclusive) shall become effective January 11, 1943.
- § 1423.14 Appendix A: Maximum prices for natural resins—(a) Natural resins—(1) Maximum prices for sales in carload lots.

⁵⁷ F.R. 5059, 7242, 8829, 9000, 10530.

Table I			Table I—Continued	
	Cents per p		Cents per p (for carload	
Hiroe-Macassar:	(for carload		Elemi	8%
Bold Nubs		13%	Accroides red gum coarse	6
Chips		111/2	Accroides red gum fine	7%
Dust		51/2	Kauri gums—White:	150
Pale East India-Singapore: Bold		22%	4X	GG
Nubs		16¾	3X	65%
Chips		11%	No. 1 Extra	43 41
DustBatu:		51/2	No. 2 Extra	31
Scraped		101/8	No. 2 Superior	31
Unscraped		9	No. 3 Extra	30 22
Nubs and chips		5¾ 5¾	No. 3 SuperiorExtra pale chips	251/4
Chips Dust		51/2	Pale chips	20%
Black East India:		•-	Pale dust	20%
Bold scraped		12	Kauri gums—Brown:	77
Bold unscraped Nubs and chips		7½ 7¼	3X	49
Batavia Damar:		• 74	X	36
A/E		25%	No. 1 Extra	34
A/D			No. 1 Superior	31 30
A/C			No. 2 ExtraNo. 2 Superior	271/4
B			No. 3	22
C			Chips Extra	18
D			Chips 80%Nubs	16 24
F'			Dust	121/4
Dust			Kauri—Bush:	
Singapore Damar:		0051	Bold	40
No. 1 No. 2		30% 25%	Assorted	35 32
No, 3		12%	Chips Dark	18
Chips		231/2	Bright	18
Seeds Dust		17¾ 13	Sandarac	971/2
Manila Macassar:		20	Congo:	147/
WS		113/4	Congo No. 1	14% 14%
MA		934	Congo No. 2	12%
MB		9¼ 7¾	Congo No. 3	1114
Loba A		14	Congo No. 30	55% 21%
Loba B		1334	Congo No. 32	15%
Loba D		13% 12%	Congo No. 33	14
Loba Du		8%	Congo No. 34	914
Loba DK		91/2	Congo No. 35	15% 12%
Loba CNE		10	Congo No. 37	181/3
Loba Dust		7% 12	Congo No. 38	121/4
DBB		11	Congo No. 40	10% 8
Manila Singapore:		4	Congo No. 41	11%
White split chips Dust		15% 7%	(2) Maximum prices for sales in	lann
Manila Philippine:		- 78	than carload lots. (i) Maximum p	
Extra bold pale scraped		15	for natural resins in quantities of	
Bold pale scraped Extra pale bold sorts		15 12¾	than one original package but 25 pc	
Pale chips—Bold		13	or more shall be the carload lot p	
Pale nubsWCB		13%	shown in Table I plus four cents	
Pale small chips		11%	pound.	
SGSeeds and dust		10½ 8¾	(ii) Maximum prices for natural 1	esins
Boea-Hard:		- /4	in quantities of 1 to 9 (inclusive) ori	ginal
Bold white		151/8	packages, shall be the carload	l lot
Amber lightAmber dark		13½ 14½	prices shown in Table I plus ½ cen	t per
Pontianak:	·	72	pound.	feeun1
Bold scraped		22%	(iii) Maximum prices for na	
Mixed bold		17%	resins in quantities of 10 or more or	
Cuttings or split chips	~~~~~~~	191/8	packages but less than a carload be the carload lot prices shown in '	
Nubs		18%	be the carload for prices shown in	T CHUID

I plus 1/4 cent per pound.

123/2

(iv) If in any delivery the weight of a grade or type of natural resin in the original package is different from that customary in the trade during March 1942, the price differentials stated in the foregoing three paragraphs are inapplicable, and instead the maximum prices listed in Table I shall be adjusted as follows:

(a) Multiply the number of pounds of this grade and type of natural resin customarily packed in an original package in March 1942, by ten. The figure thus obtained shall be hereinafter re-

ferred to as the "product."

If the number of pounds of natural resin in a single current delivery is less than the product, maximum prices are those listed in Table I plus ½ cent per pound.

If the number of pounds of natural resin in a single current delivery is the same as, or more than, the product, but less than 30,000 pounds, maximum prices are those listed in Table I plus ½ cent per pound.

(b) Maximum prices for natural resins in quantities of less than one original package but 25 pounds or more, shall be the carload lot prices shown in Table I plus four cents per pound.

- (3) Other grades than those listed above. The maximum prices for a grade of natural resin not specifically listed in Table I shall be the maximum price listed in such table for the next lower grade of the same class (i. e., Singapore Damar, Congo, etc.): Provided, however, That if no lower grade is listed the maximum price for the next higher grade shall apply. Classification of resins into grades shall be made in accordance with the usual trade practices in effect during March, 1942.
- (4) Extra charges. (i) Charges for war risk insurance and ocean freight, actually incurred which are in excess of charges based upon the rates prevailing on December 5, 1941 may be added to the maximum prices established by this Appendix A: Provided, That on all imports for which the ocean bill of lading or equivalent shipping document is dated September 1, 1942, or later, these excess charges for war risk insurance may not be greater than the differences between the rates existing on December 5, 1941, and the applicable rates established by the War Shipping Administration as of the date of such document; And further provided, That such charges are actually incurred and are itemized separately on the invoice.
- (ii) Charges for containers may not be added.
- (iii) Charges for warehousing may not be added.
- (5) Transportation charges. The maximum prices set forth in Table I apply for natural resins sold from any of the following points:
 - (i) Ex-dock, port of entry.
 - (ii) Ex-warehouse, port of entry.

(iii) F. o. b. seller's shipping point, other than (i) or (ii) above. Provided, That, in (i) or (ii) above, the charges for loading from the dock or warehouse platform onto the conveyance for shipment to the buyer may be added to the maxi-

mum prices established by this Appendix A; and provided that in (iii) above all transportation charges actually incurred in the shipment of the natural resin from the port of entry to the seller's shipping point may be added to the maximum prices set forth in Table I. All loading and transportation charges must be shown separately on the invoice.

- (6) Billing extra charges and transportation charges. The seller of any natural resin for which maximum prices are provided in this paragraph (a) shall furnish each person to whom he sells natural resins an invoice with the shipment stating (1) the total price charged, (ii) an itemization thereof, showing the sums added, if any, as "extra charges" or "transportation charges", pursuant to subparagraphs (4) and (5) of this paragraph (a).
- (b) Processed natural resins. (1) Liaximum prices in drums containing 400-500 pounds each.

TABLE 11 (Cents per round)

Regin	Carleod Ists	10 drums to cer- lect lets	Less than 19 draws
FR 342. FR 246 FR 247 FR 248 FR 248 FR 248 FR 248 FR 260 F		व संस्थानस्य	e Hernockers

(2) Grades. Any grade of processed natural resin not specifically listed in Table II shall have the maximum price shown in Table II for the grade most nearly comparable with it. For purposes of determining what grade shown in Table II is most nearly comparable with a grade not listed there, account shall be taken of the physical properties, color, melting point, acid number, percentage of glycerine or modifier, if any, and other desirable characteristics of the resins concerned, in accordance with the customary practices of the trade in effect during March, 1942.

during March, 1942.

(3) Containers. (i) If smaller or larger containers than those specified above are used, "less than 10 drums" shall mean less than, 4000 pounds, and "10 drums to carload lots" shall mean amounts from 4000 pounds to carload

(ii) Additional charges may not be made for containers, but a reasonable container deposit may be required, providing it is refunded upon the return of containers in good condition within 60 days. Transportation costs with respect to the return of empty containers to seller shall be borne by seller.

(4) Transportation charges. Prices shown in Table II are f. o. b. seller's shipping point with transportation

charges allowed or prepaid in accordance with the seller's zone transportation differentials in effect during March 1942.

Issued this 5th day of January 1943. Luon Hemberson, Administrator.

[P. R. Dec. 42-254; Filed, January 5, 1943; 2:53 p. m.]

PART 1493—Commodifies and Scrivices
[Corr. to Amendment 49 to Supp. Rog. 1
to GLIPR]

AVIATION GASOLINE, SYNTHETIC EUEEER, TOLUENE, ETC.

The reference to § 1499.26 (d) (1) (XIII) is corrected to read § 1499.26 (d) (1) (XIV).

(Pub. Laws 421, 729, 77th Cong.; E.O. \$250, 7 F.R. 7871)

Issued and effective this 5th day of January 1943.

Leon Hemmerson,
- Administrator.

[P. R. Doc. 43-263; Filed, January 5, 1943; 2:49 p. m.]

PART 1493—Commodities and Services [Order 202 Under § 1493.3 (b) of GMP2]

DEWEY AND ALITY CHILLICAL CO.

Dawey and Almy Chemical Company, Cambridge, Massachusetts.

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1438 Approval of maximum prices for "Gold Seal Tin Paste No. 880" produced in the Oakland, California plant of Devey and Almy Chemical Company—(a) Sales by Devey and Almy Chemical Company—(1) If aximum prices. The maximum prices for sales by Devey and Almy Chemical Company of "Gold Seal Tin Paste No. 820" produced at its plant in Oakland, California are established as set forth below:

Termo: 1% 10 days, not 30 days. The above prices are f. o. b. Caliland, Calif.

- (2) Discounts and allowances. Devey and Almy Chemical Company shall apply to the maximum prices set forth in subparagraph (1) of this paragraph all other discounts and allowances, including discounts to purchasers of different classes, which were in effect in March 1942 on its sales of "Gold Seal Tin Paste No. 625."
- (b) Sales by distributors—(1) Maximum prices for cales by Washington Glue Sales Company of Seattle, Washington. Maximum prices for sales by Wachington Glue Sales Company of Seattle, Washington, for sales of "Gold Scal Tin Paste No. 889" produced at the Oalsland, California, plant of the Dewey and Almy Chemical Company are established as set forth below:

0

(2) Maximum prices for sales by Macdonald Andrews Company of Portland, Oregon. Maximum prices for sales by Macdonald Andrews Company of Portland, Oregon of "Gold Seal Tin Paste N. 380" produced at the Oakland, California plant of Dewey and Almy Chemical Company are established as set forth below:

The above prices are f. o. b. Portland, Oreg.

(3) Discounts and allowances. Washington Glue Sales Company and MacDonald Andrews Company shall apply to the maximum prices established in subparagraph (1) or (2) of this paragraph, as the case may be, all discounts and allowances, including discounts to different classes of purchasers, which they had in effect in March 1942 for their sales of "Gold Seal Tin Paste No. 625".

(c) This Order No. 202 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 202 (§ 1499.1438) shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 4th day of January 1943.

LEON HENDERSON,

Administrator.

[F. R. Doc. 43-270; Filed, January 5, 1943; 2:51 p. m.]

, PART 1499—COMMODITIES AND SERVICES [Order 206 Under § 1499.3 (b) of GMPR] WARFIELD COMPANY

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1442 Authorization of maximum prices for sales of "Pro-Ten" Meat Extender, 20 ounce packages of a blend of high protein cereals and seasonings, by Thomson and Taylor Division, the Warfield Company, Chicago, Illinois, by wholesalers and by retailers. (a) On and after January 6, 1943, the maximum price for sales by Thomson and Taylor Division, the Warfield Company, of Chicago, Illinois, of "Pro-Ten" Meat Extender, packed one dozen—20 ounce packages to the shipping case, shall be \$1.53 per dozen packages delivered to purchasers' stations.

(b) Wholesalers' shall determine their maximum delivered selling prices of "Pro-Ten" Meat Extender by adding to their net cost of this item a mark-up of 20% of their net cost. The maximum delivered price so determined shall not exceed \$1.84 per dozen packages. Where a maximum price determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the wholesaler is permitted to increase

his maximum price to the next higher cent.

Net cost for wholesaler grocer as mentioned in this paragraph shall be his invoice price for "Pro-Ten" Meat Extender delivered in a customary quantity of this type of item by the customary mode of transportation to his customary receiving point, less all discounts allowed him, except discounts for prompt payment. No charge or cost for unloading or local trucking shall be included in net cost.

(c) Sellers at retail shall determine their maximum selling prices of "Pro-Ten" Meat Extender by adding to their net cost of this item a mark-up of 33½% of this net cost. The maximum price so determined shall not exceed 20¢ per 20 ounce package. Where a maximum price per package determined by the provisions of this paragraph is a fractional cent price and the fraction of a cent is less than one-half cent, the price per package shall be lowered to the next lower cent. If the fraction is one-half cent or larger, the retailer is permitted to increase his maximum price per package to the next higher cent.

Net cost for a retailer as mentioned in this paragraph shall be his invoice price for "Pro-Ten" Meat Extender delivered to his customary receiving point in a customary quantity of this type of item by customary mode of transportation and from a customary source of supply, less all discounts allowed him, except the discount for prompt payment. No charge or cost for unloading or local trucking shall ever be included.

(d) No seller, except a seller at retail, shall change his customary discounts, allowances and price differentials applying to comparable speciality items in making sales of "Pro-Ten" Meat Extender unless such change in these customary discounts, allowances and price differentials results in lower selling prices.

(e) On and after January 6, 1943, Thomson and Taylor Division, the Warfield Company, shall supply a written notification to each wholesaler at the time of first delivery of "Pro-Ten" Meat Extender to such wholesaler, and for a period of three months thereafter shall include with each shipping unit of "Pro-Ten" Meat Extender, a written notification to retailers. If such retailer notification is enclosed within a shipping unit, a legend shall be affixed outside of such unit to read "Retailer's Notice Enclosed." The written notifications, for each type of purchaser, shall include the following appropriate statements:

Notification from Thomson and Taylor Division, the Warfield Company, to wholesalers

The OPA has authorized us to charge whole-salers \$1.53 per dozen of 20 ounce packages of "Pro-Ten" Meat Extender subject to all customary allowances and discounts and delivered to purchasers' stations. Wholesalers are authorized to establish a ceiling price by adding to the net cost of this item 20% of such net cost, provided that the ceiling price so determined shall not exceed \$1.84 per dozen. Net cost is the invoice cost at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Retailers shall establish a ceiling price by adding to their net cost 33½ % of such net cost. Each individual ceiling price determined by any seller shall be figured to the nearest even cent

(raise one-half cent fractions to the next even cent). A copy of a notification to retailers is included in every shipping unit of this item. If the initial sale of this item to any retailer is a split case sale, wholesalers are required to provide such retailer with a copy of the retail notification so enclosed. OPA requires that you keep this notice for examination.

Notification from Thomson and Taylor Division, the Warfield Company, to retailers

The OPA authorizes retailers to establish ceiling prices for "Pro-Ten" Meat Extender, packed 12 twenty ounce packages to a shipping case, by adding to the net cost of this item 33½% of such net cost, provided that the ceiling price so determined shall not exceed 20¢ per twenty ounce package. Not Cost is the invoice cost at the customary receiving point, less all discounts, other than for prompt payment, and excluding charges for local hauling. Such ceiling prices shall be figured to the nearest even cont (raiso one-half cent fractions to the next even cent). OPA requires that you keep this notice for examination.

(f) This Order No. 206 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 206 (§ 1499.1442) shall become effective as of January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

Leon Henderson,

Administrator.

[F. R. Doc. 43-272; Filed, January 5, 1943; 2:52 p. m.]

PART 1499—COMMODITIES AND SERVICES
[Amendment 1 to Order 105 1 Under § 1499.18
(b) of GMPR]

PITTSBURGH COKE AND IRON COMPANY

The reference to the word "gallon" in § 1499.1006 (a) (1) and (a) (2) is amended to read "pound."

(f) This Amendment No. 1 (§ 1499,-1006 (a)) to Order No. 105 shall become effective this 6th day of January 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. No. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

Leon Henderson, Administrator.

[F. R. Doc. 43-268; Filed, January 5, 1943; 2:47 p. m.]

Part 1499—Commodities and Services
[Order 148 Under § 1499.18 (b) of GMPR]

BLACK AND GAY, CANNERS, INC.

Order No. 148 under § 1499.18 (b) of the General Maximum Price Regulation—Docket Number GF3-2512.

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1409 Adjustment of maximum prices through package weight reductions for "Kid Glove" Popped Corn and "First National" Popped Corn manufactured by Black & Gay, Canners, Inc. (a) Black & Gay, Canners, Inc., Thomaston, Maine, may sell and deliver and any person may

⁷⁷ F.R. 9737.

buy and receive from Black & Gay, Canners, Inc., 4½ ounce reduced weight packages, of "Kid Glove" Popped Corn and "First National" Popped Corn at prices no higher than those charged during March 1942 for corresponding 6 ounce higher weight packages of "Kid Glove" Popped Corn and "First National" Popped Corn.

(b) Retailers may sell and deliver and any person may buy and receive from retailers packages of reduced weight "Kid Glove" Popped Corn and "First National" Popped Corn at prices no higher than those set forth below:

(1) The maximum prices established for the particular seller during March 1942 for corresponding packages of higher weight of "Kid Glove" Popped Corn and "First National" Popped Corn as stated in paragraph (a) of this order.

(2) If no maximum prices have been established for the particular seller for the former size packages of "Kid Glove" Popped Corn and "First National" Popped Corn, such maximum prices as may be established for such seller under section 2 of the General Maximum Price Regulation.

(c) Black & Gay, Canners, Inc. shall give the same or greater customary al-, lowances, discounts or other price differentials for the new sizes of "Kid Glove" Popped Corn and "First National" Popped Corn as it gave on the corresponding larger sizes of popped corn.

(d) The adjustments granted to Black & Gay, Canners, Inc., and to retailers in paragraphs (a) and (b) are subject to the condition that before or at the time of each initial sale of new reduced weight packages of "Kid Glove" Popped Corn and "First National" Popped Corn, Black & Gay, Canners, Inc. shall distribute or cause to be distributed to each retailer written notice as follows:

The Office of Price Administration has authorized us to sell 4½ ounce packages of "Kid Glove" Popped Corn and "First National" Popped Corn at maximum prices established for 6 ounce packages.

You are authorized by the same Office of Price Administration Order to sell the reduced weight packages at your maximum selling prices established by the General Maximum Price Regulation for the corresponding packages of higher weight.
You are required to keep this notice for

examination.

(e) All prayers of the application not granted herein are denied.

(f) This Order No. 148 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 148 (§ 1499.1409) is hereby incorporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(h) This Order No. 148 (§ 1499.1409) shall become effective January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON. Administrator.

[F. R. Doc. 43-266; Filed, January 5, 1943; 2:52 p. m.]

PART 1499—COMMODITIES AND SERVICES [Order 149 Under § 1499.18 (b) of GMPE]

WILLIAM ATKIN COMPANY, INC.

Order No. 149 under § 1499.18 (b) of the General Maximum Price Regulation-Docket No. GF3-642

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1410 Adjustment of maximum prices for men's uniform shirts manujactured by William Atkin Company, Inc., for the Consolidated Edison Company. (a) William Atkin Company, Inc. of New York, New York, may sell and deliver and Consolidated Edison Company may buy and receive the following commodity at prices not higher than

those set forth below:

(1) \$17.50 per dozen for the men's uniform shirts manufactured by William Atkin Company, Inc. for Consolidated Edison Company, having the same specifications as to quality of fabrics and trimmings, standards of construction and garment dimensions as those for which William Atkin Company, Inc., established \$16.00 per dozen as its maximum price under § 1499.2 of the General Maximum Price Regulation.

(b) The adjustment granted to William Atkin Company, Inc. in paragraph (a) is subject to the following condi-

(1) This adjustment shall apply only to sales by the William Atkin Company, Inc., to the Consolidated Edison Company.

(2) All discounts, trade practices, and practices relating to shipping and shipping charges in effect in March 1942, shall be applicable to the maximum price set forth in paragraph (a) hercof.

(3) The William Atkin Company, Inc., shall mail to the Consolidated Edison Company a notice reading as follows:

The Office of Price Administration has permitted us to raise our maximum prices for cales to you of our men's uniform chirts from 8.3.00 to \$17.50 per dezen. This amount represents increases in costs which we are unable to absorb, and it was granted with the understanding that the chirts are sup-plied by you to your employees without any charge and that eccerdingly the granting of the requested increase could not cause an increase in retail prices.

(c) All prayers of the application not granted herein are denied.

(d) This Order No. 149 may be revoked or amended by the Price Admin-

istrator at any time. (e) This Order No. 149 is hereby in-

corporated as a section of Supplementary Regulation No. 14, which contains modifications of maximum prices established by § 1499.2.

(f) This Order No. 149 (§ 1499.1410) shall become effective January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943. Low Hermanson, Administrator.

[F. R. Dcc. 43-269; Filed, January 5, 1943; 2:47 p. m.]

PART 1493-COLDIOLITIES AND STRVICES [Order S Under § 1493.18 (c) as Amended of GIRE

VALICOUVER ICE & COAL COLLEANY, VALIT-COUVER, WASHINGTON

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.1503 Adjustment of maximum prices for sales of rock salt by Vancouver Ice & Coal Company. (a) Vancouver Ice & Coal Company of Vancouver, Washington, may sell and deliver and any person may buy rock salt for icing railroad refrigerator cars at prices not in excess of those cet forth below:

[017.60 per ton, f. o. b. Vancouver, Wash.]

(b) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(c) This order No. 3 (§ 1499.1593) is hereby incorporated as a section of Supelementary Regulation No. 14, which contains modifications of maximum prices established by § 1493.2.

(d) This Order No. 3 (§ 1493.1503) shall become effective January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.)

Issued this 5th day of January 1943. LEON HENDERSON, Administrator.

[P. R. Doc. 43-271; Filed, January 5, 1943; 2:47 p. m.]

PART 1499-COLUMODINIES AND SERVICES [Order 11 Under § 1493.23 of GMPR]

CUDARY PACKING COMPANY

Order No. 11 under § 1493.29 of the General Maximum Price Regulation-Docket No. 3148-68.

For the reasons set forth in an opinion issued simultaneously herewith, It is ordered:

§ 1499.411 Denial of application for adjustment of maximum price of ports causage sold to Navy and Marine units by Cudahy Packing Company, Chicago, Illinois, from its plant in San Disgo, California. (a) The application of Cudahy Packing Company, Chicago, Illinois, filed August 17, 1942, and assigned Dasket No. 3149-68, requesting an adjustment of the maximum price on pork sausage sold to the Navy and Marine Corps is denied.

(b) Any contract entered into by Cudahy Packing Company at the prices requested in the application shall be revised in accordance with the terms of this Order, and payment made to the Cudahy Packing Company in excess of the maximum prices authorized by this Order shall be refunded to the purchaser.

(c) This Order No. 11 (§ 1499.411) is hereby incorporated as a section of Supplementary Regulation No. 4 which contains modifications of maximum prices established by § 1499.2.

(d) This Order No. 11 (§ 1493.411) shall become effective January 6, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943. LEON HENDERSON, Administrator.

[F. R. Doc. 43-267; Filed, January 5, 1943; 2:49 p. m.]

PART 1302—ALUMINUM

[RPS 2,1 as Amended, Amendment 5]

ALUMINUM SCRAP AND SECONDARY ALUMINUM INGOT

A statement of the considerations involved in the issuance of this amendment is issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Sections 1302.14 and 1302.15 are amended as set forth below:

§ 1302.14 Appendix A: Maximum prices for aluminum scrap-(a) Schedule of prices. (The maximum prices for aluminum scrap established in this § 1302.14, with the exception of those established for drosses, skimmings, grindings, sweepings, sawings and spatters, are f. o. b. point of shipment. In the case of drosses, skimmings, grindings, sweepings, sawings and spatters the maximum prices herein established are for such scrap delivered to the buyer's receiving point.)

	Col- umn I	Col- umn II	Col- umn III
Grado of aluminum scrap	Maximum price (cents per pound) for shipment at one time of less than 1,000 pounds.	Maximum price (cents per pound) for shipment at one time of 1,000 to 20,000 pounds.	Maximum price (cents per pound) for shipment at one time of 20,000 pounds or more.
(1) Plant scrap, segregated: 25 solids All other solids Borings and turnings (2) Plant scrap, mixed: All solids Borings and turnings (3) Obsolete scrap: Pure cable Old sheet and utensils Old eastings and forgings	10 91/2 71/2 81/2 61/2 10 81/2 9	11 10\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	111/2 11 9 10 8 111/2 10
Pistons free of struts	97	91/2 71/2	10 10 10 8

(4) Drosses, skimmings, grindings, sweepings, sawings and spatters: Containing 15 per cent or more by weight of metallic alu-minum, as determined by fire assay.

Containing less than 15 per cent by weight of metallic alumi-num, as determined by fire assay.

8 cents per pound of metallic aluminum contained, as determined by fire assay, irrespective of quantity.

1.2 cents per pound of material irrespective of aluminum contained to the contained to

minum con-tent and ir-respective of quantity.

Note 1: Meaning of terms. "Plant scrap" means scrap which is generated in the course of fabrication or manufacture and includes new material or parts rejected or discarded because defective, damaged in processing, or otherwise unfit for use. The terms "solids" and "solid plant scrap" mean plant scrap generated by shearing, clipping, cutting, blanking, or similar process, also defective or rejected wrought aluminum parts, defective or rejected castings, and gates, sprues, risers or similar foundry scrap. Scrap shall not be deemed "segregated" whether in the form of solids or in the form of borings, turnings or other ma-chinings, unless it consists of one alloy only and is so identified and handled as to be accepted for reprocessing into aluminum of the original alloy specifications without the necessity for other than routine examination by the processor.

Note 2: Low-grade or contaminated scrap. If borings, turnings, and similar machinings or other grades of aluminum scrap contain oil, water or other forms of contamination, maximum prices may be paid only on the basis of the actual weight of aluminum or aluminum alloy contained.

NOTE 3: Quantity differentials. The requisite quantities for which premiums are provided in Columns II and III. above, may consist of various grades of aluminum scrap, but other metals may not be included for the purpose of making up such quantities. In computing the weight necessary to obtain a quantity differential the actual weight of the material at the point of shipment, as determined by the public carrier, or as certified to and accepted by the public carrier, or as certified by a public weigher, is to be used. If the weight of the material at the point of shipment is not determined by any of the methods herein specified the actual weight of the material at the buyer's receiving point shall be used.

Note 4: Aluminum foil. Aluminum foil and light gauge aluminum sheet which does not exceed 0.006 of an inch in thickness is not considered within this Price Schedule, but the provisions of the General Maximum Price Regulation shall apply to such scrap.

Note 5: Premiums for special preparation. Upon the sale of segregated solid aluminum plant scrap of any of the wrought aluminum or S-type alloys, except 2S and 3S, to any person designated as a "producer" by the Director of Priorities, War Production Board, the following premiums may be charged, de manded, paid or offered:

Cent per pound If such scrap is baled or packaged, suitable

pieces too heavy to briquette_____ 1

Except as provided herein, the maximum prices established for aluminum scrap by this Revised Price Schedule No. 2, as amended, shall not be increased by any charge or payment for special preparation.

(b) Delivery charges. (1) If aluminum scrap is delivered to the buyer's receiving point by a public (common or contract) carrier, the maximum delivery charge which may be added to the estab-

lished maximum price f. o. b. point of shipment shall be the actual transportation charge made by such carrier: Provided, That if the quantity differentials set forth in Column III are paid, and if the quantity shipped, as determined in accordance with Note 3 in § 1302.14 (a), is less than the minimum quantity, as set forth in the tariffs of the railroad, upon which the lowest carload rate from the point of shipment to the buyer's receiving point is based, the maximum delivery charge which may be added to such maximum price shall be an amount calculated at the lowest carload rate on the basis of the actual weight of material so determined.

(2) If aluminum scrap is delivered to the buyer's receiving point by vehicle owned or controlled by the seller or by private carrier not owned or controlled by the buyer, the maximum delivery charge which may be added to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the following:

Distance	Dollars	per	
Over—	But not over—	ton of a weigh	ht
0	10	ð	1. 68 1. 10 2. 12 2. 2. 46 3. 3. 46 4. 22 4. 45 5. 45 6. 60 6. 60 60 60 60 60 60 60 60 60 60 60 60 60 6
290 300	300	(1)	0.80

An amount not in excess of the charge computed at the lowest railroad carload rate applicable to shipments of aluminum scrap from the railroad siding nearest the point of shipment to the railroad siding nearest the point of delivery.

- (i) For distances of 300 miles or less, all bridge, tunnel and ferry tolls actually incurred may be added to the amount set forth in the table above.
- (ii) The distance in miles shall be computed on the basis of the shortest public highway route available for the transportation of the shipment in question from the point of shipment to the buyer's receiving point.
- (3) The seller shall furnish to the buyer on the invoice or on a separate statement the point or points of shipment, the mileage upon which the delivery charge is based, and the total delivery charge.
- (4) If aluminum scrap is shipped from more than one point of shipment by any of the following means of transportation, the maximum delivery charge which may

^{*}Copies may be obtained from the Office of Price Administration.

¹⁷ F.R. 1203, 1600, 1836, 2132, 3746, 4584, 5513, 6468, 7973, 8200, 8585, 8948, 9315.

be added to the established maximum price f. o. b. point of shipment shall be an amount not in excess of the applicable one of the following limitations:

(i) Entirely by railroad: the rate from that one of the several points of shipment which has the lowest rate to the

buyer's receiving point.

(ii) Entirely by public carrier truck: the established rate from that one of the several points of shipment which has the lowest rate to the buyer's receiving point.

(iii) Entirely by vehicle owned or controlled by the seller or private carrier not owned or controlled by the buyer: the rate set forth in subparagraph (2) of this paragraph (b) from that one of the several points of shipment which has the lowest rate to the buyer's receiving point.

(iv) Partly by railroad, partly by public carrier truck, partly by vehicle owned or controlled by the seller, or a private carrier not owned or controlled by the buyer or any combination of the foregoing—the lowest of the rates set forth in the preceding subdivisions of this subparagraph (4): Provided, That the rate governing any method of shipment not actually employed may be disregarded.

§ 1302.15 Appendix B: Maximum prices for secondary aluminum ingot—
(a) General provisions—(1) Maximum base price. The maximum base price for secondary aluminum ingot shall be 15 cents per pound. This maximum price applies to all alloys or grades of secondary aluminum ingot except as otherwise provided in paragraphs 'b), (c), (d) and (e) of this section.

(2) Delivery charges. The maximum base price and all other maximum prices for secondary aluminum ingot established by or pursuant to this section shall include transportation costs to any destination within the continental United States, not exceeding the lowest carload rate of rail freight, but in no event to exceed 75 cents per hundredweight. Actual transportation costs in excess of those so included may be charged to, and paid by, the buyer.

(3) Quantity differentials. The maximum base price and all other maximum prices for secondary aluminum ingot established by or pursuant to this section shall be applicable if the quantity sold or delivered is 30,000 pounds or more. The following premiums may be charged, in addition to the maximum price, for

the quantities specified:

In determining whether the quantity differentials herein provided are applicable, the quantity sold or the quantity delivered to one buyer at one time, whichever is larger, shall be used in all cases, and regardless of the fact that such sale or shipment may be composed of different alloys: Provided, That if the quantity sold exceeds the amount which the buyer is authorized by the War Production Board to receive in any allocation period, the amount which the buyer is so authorized to receive may be used instead of the quantity sold.

(b) Alloys to which certain costly ingredients are added. (1) If the chemical specifications for an alloy of secondary aluminum ingot require a substantial content of chronium, magnesium, manganese, nickel, tin, titanium or vanadium, and if the scrap from which such ingot is produced does not contain these elements in sufficient quantity to meet the specifications upon remelting, so that it is necessary to introduce them by other means, the seller may apply to the Office of Price Administration, Washington, D. C., for permission to charge more than the maximum base price.

(2) Application for permission to charge more than the maximum base price for alloys which are subject to this paragraph (b) shall be filed within 5 days from the date on which delivery is

completed, and shall show:

(i) The name and address of the buyer;

(ii) The chemical specifications for the ingot;

(iii) The analysis of the scrap from which the ingot is produced:

(iv) The increase in cost due to the necessity of adding any of the elements listed in subparagraph (1), above; and

(v) The price charged.

(3) Upon receipt of an application filed in accordance with subparagraph (2), above, the Administrator may by letter, authorize an increase in the maximum price to the extent of the actual increase in cost due to the necessity of adding any of the elements listed in subparagraph (1), above.

(4) An application filed in accordance with the provisions of this paragraph (b) shall be deemed to be approved unless it is disapproved within 15 days from the date on which it is received by the Office of Price Administration, or, if additional information is requested within such 15-day period, then within 15 days from the date on which all such information is received.

(5) Any person may sell or deliver, and any person may buy or receive, secondary aluminum ingot which is subject to this paragraph (b) at a price higher than the maximum base price, and any person may offer to do any of the foregoing, if an application for permission to charge the higher price is filed in accordance with subparagraph (2) of this paragraph; if, however, the Administrator disapproves the price charged, the contract price shall be revised downward to the maximum price which the Administrator shall approve, and the seller shall refund any payment in excess of the price so approved.

(6) Whenever any secondary aluminum ingot subject to this paragraph is sold at a price higher than the maximum base price, the maximum base price and the additional charge made on account of the addition of one or more of the elements listed in subparagraph (1) shall be shown separately on the invoice, and the invoice shall contain the following

statement:

Application has been made to the Office of Price Administration for permission to make the extra charge shown on this into the cover the cest of adding ______ If the increase in price authorized by the Office of

Frice Administration is less than the additional amount charged on this invoice, the price will be revised downward accordingly and any amount paid in excess of the authorized charge will be refunded.

(7) If an application is not filed in accordance with subparagraph (2) of this paragraph, or if the requirements of subparagraph (6) are not substantially complied with, the maximum base price shall apply to secondary aluminum ingot subject to this paragraph regardless of the addition of any of the elements listed in subparagraph (1).

(6) The provisions of this paragraph (b) are not applicable to any secondary aluminum ingot subject to paragraphs

(c), (d) or (e) of this section.

(c) Haximum prices for low-grade innot.

Plus 2 cents extra for epecial shapes.

(d) Maximum prices for hardeners.
(1) A hardener is an intermediate alloy which is not suitable for direct use without combination with other materials and which is designed to facilitate the introduction of one or more of the constituent metals into other alloys.

(2) The maximum price for any hardener subject to this Revised Price Schedule No. 2, as amended, shall be a price approved by the Administrator. Pending such approval by the Administrator, any person may sell or deliver, and any person may buy or receive, any such ingot at the price submitted for approval; and any person may offer to do any of the foregoing. If, however, the Administrator disapproves the price submitted, the contract price shall be revised downward to the maximum price which the Administrator shall approve, and if any payment has been made at a price higher than that so approved the seller shall refund the excess: Provided, howerer, That the price submitted by the celler for approval shall be deemed to be approved unless the Administrator disapproves such price and establishes an approved maximum price within 15 days from the date on which the report required in paragraph (d) (3) (i) of this section is received by the Office of Price Administration, or, if further information is requested from the seller within such 15-day period, then within 15 days from the date on which all such information is received by the Office of Price Administration.

(3) On and after January 11, 1943 the seller of any hardener subject to this Revised Price Schedule No. 2, 2s amended, shall:

(i) report every such sale to the Office of Price Administration, Washington, D. C., within five days from the date thereof, stating:

(a) The name and address of the

buyer;
(b) The quantity sold;

(c) The proposed price;

(d) The alloy content of the hardener sold, including specific mention of any impurity limitations;

(e) The cost breakdown, including the type of metals used and the cost thereof. the smelting cost, and the allowance for overhead; and

(ii) Provide such other information concerning the manufacture and sale of the hardener in question as may be required by the Administrator in order to determine the proper maximum price.

(4) The foregoing provisions of this paragraph (d) shall not apply to sales of any hardener at a price previously reported to and approved by the Administrator in accordance with the provisions of this paragraph. Whenever the price proposed by any person for a particular hardener has been so reported, the price approved by the Administrator shall be the maximum price at which such person may thereafter sell such ingot. Nothing herein contained however, shall be construed to prevent the Administrator from adjusting any price so approved when in his judgment adjustment is warranted.

(e) Maximum prices for other alloys produced in small quantities. (1) The maximum price for any grade of secondary aluminum ingot (excluding the low-grade types for which provision is made in paragraph (c) and also excluding hardeners, for which provision is made in paragraph (d) of this section) which is produced in melts or heats of 250 pounds or less shall be:

(i) The highest price which the seller charged for the same grade of ingot delivered by him during March 1942; or

(ii) If the seller did not deliver the same grade of ingot during March 1942, the highest price quoted in the seller's price list, or, if he had no price list, the highest price which the seller regularly quoted in any other manner, for delivery of the same grade of ingot during March 1942; or

(iii) If the maximum price for such ingot cannot be determined under the foregoing provisions of this paragraph (e), a price approved by the Administrator. On and after January 11, 1943, the seller of any such ingot shall report every such sale to the Office of Price Administration and obtain approval of a maximum price as prescribed in paragraph (d) of this section, relating to hardeners. The provisions of paragraph (d) shall apply in all respects to sales of such ingot.

(2) For the purposes of paragraph (e). of this section:

(i) In determining the highest price charged or quoted by him during March 1942, the seller shall, if such price was not charged or quoted f. o. b. point of shipment, adjust it so that it shall reflect the actual price charged by him f. o. b.

point of shipment; and if such price was charged or quoted for quantities of less than 30,000 pounds the seller shall adjust it for quantities of 30,000 pounds or more, using the quantity differentials provided in subdivision (a) (3) of this section. The price so adjusted shall be his maximum price, subject to the quantity differentials referred to above, and shall include transportation costs to the extent specified in subparagraph (a) (2) of this section.

(ii) Secondary aluminum ingot shall be deemed to have been "delivered." during March 1942, if during such month it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

§ 1302.13a Effective dates of amend-ments. * * *

(f) Amendment No. 5 to Revised Price Schedule No. 2, as amended, (§§ 1302.14 and 1302.15) shall become effective January 11, 1943: Provided, That contracts entered into prior to January 11, 1943, under the terms of, and at prices in conformance with, Revised Price Schedule No. 2, as amended, may be carried out at contract prices until February 1,

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON. Administrator.

[F. R. Doc. 43-278; Filed, January 5, 1943; 4:01 p. m.]

> PART 1312-HARDWOOD LUMBER . AIRCRAFT LUMBER

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[Rev. MPR 109,1 Amendment 1]

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Footnote. 4 in Table 1 of § 1312.361 is amended and § 1312.360a is added to read as set forth below:

§ 1312.361 Appendix A: Maximum prices for aircraft lumber per M'BM.

Table 1

Maximum prices f. o. b. original shipping point rough, green, for Army-Navy aeronautical specifications for Sitka spruce (AN-S-6), red spruce (AN-S-6), white spruce (AN-S-6), noble fir (AN-F-6), western hemlock (AN-

(See footnote 4 for Douglas fir (AN-F-7))

§ 1312,360a Effective dates of amendments. (a) Amendment No. 1 (§§ 1312.-361 and 1312.360a) to Revised Maximum Price Regulation No. 109 shall become effective January 11, 1943.

(Pub. Laws Nos 421 and 729, 77th Cong. E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943. LEON HENDERSON. Administrator.

[F. R. Doc. 43-279; Filed, January 5, 1943; 4:01 p. m.]

PART 1347-PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PROD-UCTS, PRINTING AND PUBLISHING

[MPR 47]

WASTE RAGS, WASTE ROPES AND WASTE STRINGS

Sec. 1347.101 Prohibitions. 1347.102 Less than maximum prices. Applicability of the General Max-1347.103 imum Price Regulation. 1347.104 Imports. 1347.105 Export sales. Petitions for amendment. 1347.106 1347.107 Licensing. 1347.108 Evasion. 1347.109 Enforcement. 1347.110 Records and reports. 1347.111 1347.112 1347.113 Definitions. Applicability. Effective date. 1347.114 Appendix A: Maximum prices for waste rags, waste ropes and waste strings.

The title, preamble and §§ 1347.101 to 1347.112, inclusive, of Revised Price Schedule No. 47—Old Rags—are amended, renumbered and reissued as Maximum Price Regulation No. 47—Waste Rags, Waste Ropes and Waste Strings.

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales of waste rags, waste ropes and waste strings by a maximum price regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation, which apply to the sale of waste rags, waste ropes and waste strings, are generally fair and equitable and are necessary to check inflation and to effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

So far as practicable the Price Administrator has given due consideration to prices prevailing between October 1 and 15, 1941, and to relevant factors of general applicability, and has consulted with representatives of the trade and industry.

A statement of considerations involved in the issuance of this regulation is issued simultaneously herewith and filed with the Division of the Federal Register.*

Therefore, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, this Maximum Price Regulation No. 47 is hereby issued.

AUTHORITY: §§ 1347.101 to 1347.114, inclusive, issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

§ 1347.101 Prohibitions. Regardless of any contract, agreement, lease or other obligation:

^{*}Copies may be obtained from the Office of Price Administration.

²7 F.R. 10100.

Douglas Fir (AN-F-7), 621/2 percent of the price of corresponding item of Sitka Spruce.

(a) No person shall sell or deliver any waste rags, waste ropes or waste strings at higher prices than the maximum prices set forth in Appendix A (§ 1347 .-114) of this Maximum Price Regulation No. 47.

(b) No person shall buy or receive any waste rags, waste ropes or waste strings in the course of trade or business at higher prices than the maximum prices set forth in Appendix A (§ 1347.114) of this Maximum Price Regulation No. 47.

(c) No person shall agree, offer, solicit, or attempt to do any of the foregoing.

§ 1347.102 Less than maximum prices. Lower prices than those established by this Maximum Price Regulation No. 47 may be charged, demanded, paid or offered.

§ 1347.103 Applicability of the General Maximum Price Regulation. The provisions of this Maximum Price Regulation No. 47 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries of waste rags, waste ropes and waste strings for which maximum prices are established by this regulation.

§ 1347.104 Imports. The maximum prices established herein shall apply to imports of waste rags, waste ropes and waste strings from a foreign country, f. o. b. the port or city of entry in the United States.

§ 1347.105 Export sales. The maximum price at which a person may export waste rags, waste ropes and waste strings shall be determined in accordance with the provisions of the Revised Maximum Export Price Regulation 1 issued by the Office of Price Administration. The maximum prices at which a person may make a domestic sale of waste rags, waste ropes and waste strings which is to be exported shall not exceed the maximum prices herein provided for domestic sales. However, if a person specially packages waste rags, waste ropes and waste strings in order that they may be exported, and if he sells them to a purchaser who states in writing that the waste rags, waste ropes and waste strings which have been specially packed will be sold in export, the seller may add to the maximum price an amount not in excess of the highest premium actually charged for the same or similar packing by such person during the period of January 1 through September 30, 1941. If a person made no such charge for such packing in said period, the amount of his charge for such packing shall not exceed the amount charged in said period by his nearest and most closely competitive seller in said period.

§ 1347.106 Petitions for amendment. Persons seeking any modification of this Maximum Price Regulation No. 47 may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1° issued by the Office of Price Administration.

§ 1347.107 Licensing. The provisions of Supplementary Order No. 5 3—Licens-

ing, are applicable to every dealer or broker subject to this Maximum Price Regulation No. 47, selling, offering to cell, delivering or transferring at a price waste rags, waste ropes or waste strings to a consumer.

§ 1347.108 Erasion. The price limitations set fc:th in this Maximum Price Regulation No. 47 shall not be evaded, whether b. direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of waste rags, waste ropes or waste strings, alone or in conjunction with or relating to any other commodity or by way of commission, service, transportation, or other charge, or discount, premium or other privilege or tying-agreement, or other trade understanding or otherwise.

§ 1347.109 Enforcement. (a) Persons violating any provision of this Maximum Price Regulation No. 47 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings, and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) Persons who have evidence of any violation of this Maximum Price Regulation No. 47 or any Price Schedule, Regulation or Order issued by the Office of Price Administration, or any acts or practices which constitute such a violation, are urged to communicate with the nearest District, State, Field or Regional Office of the Office of Price Administration or its principal office in Washington,

§ 1347.110 Records and reports. (a) Every person who has been required under Revised Price Schedule No. 47 to keep records for inspection by the Office of Price Administration shall preserve such records for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect.

(b) Every person making purchases or sales aggregating ten tons or more of waste rags, waste ropes or waste strings in October 1942, or any one month thereafter shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of each purchase or sale of waste rags, waste ropes or waste strings made during such month and each month thereafter, showing the following:

(1) Date of purchase or sale.

(2) Name and address of the buyer or seller.

(3) Grade of waste rags, waste ropes and waste strings purchased or sold.

(4) Quantity of each grade purchased

(5) Prices paid or received.

(6) Warranties, if any, given and received.

Such records shall set forth separately the f. o. b. point of shipment price, the origin and destination of the shipment, the means of transportation used, the amount of the transportation charge, and any other amounts paid or received in connection with such sale.

(c) Persons required to keep records shall submit such reports to the Office of Price Administration and shall keep cuch other records in addition to or in place of the records required in paragraphs (a) and (b) of this § 1347.110 as the Office of Price Administration may from time to time require or permit.

Definitions. (a) When used in this Maximum Price Regulation No. 47, the term:

(1) "Person" means an individual, corporation, partnership, association, any other organized group of persons, the legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the

(2) "Waste rags" include the kinds and grades of waste rags specified in this Maximum Price Regulation No. 47 regardless of the use for which they are

(3) "Waste ropes" include the lands and grades of waste ropes specified in this Maximum Price Regulation No. 47 regardless of the use for which such waste ropes are sold, excepting only old ropes sold for reuse as ropes.

(4) "Waste strings" include the hinds and grades of waste strings specified in this Maximum Price Regulation No. 47 regardless of the use for which such

waste strings are sold.

(5) "Consumer" means a person who acquires waste rags, waste ropes or waste strings for his own use.

(6) "Dealer" means a person who acquires, collects, sorts, packs and offers for sale in the course of trade or business waste rags, waste ropes or waste strings.

(7) "Broker" means any person who sells to a consumer waste rags, waste ropes or waste strings not packed by such person and purchased by such person in the condition in which they are to be delivered to the consumer.

(8) "Foreign materials" include every non-rag, non-rope or non-string substance, as the case may be.

(9) "Short-ton" means a ton of two thousand pounds.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

§ 1347.112 Applicability. The provisions of this Maximum Price Regulation No. 47 shall be applicable to the continental United States and the District of Columbia, but not to the territories and possessions of the United States.

§ 1347.113 Effective date. This Maximum Price Regulation No. 47 (§§ 1347.101 to 1347.114 inclusive) shall become effective January 11, 1943.

§ 1347.114 Appendix A: Maximum prices for waste rags, waste ropes and waste strings-(a) Grades and maximum prices per short ton f. o. b. point of shipment for waste rags, waste ropes and waste strings. No grade whatsoever of waste rags, waste ropes or waste strings shall be sold for use in manufacturing roofing, flooring, specialty felts, or similar materials at a price in excess of

¹7 F.R. 5059, 7242, 8829, 9000, 10530.

²7 F.R. 8961. ³7 F.R. 3403, 6077, 9723.

\$31.00 per short ton, f. o. b. point of shipment.

The grades listed in items 1 to 21 inclusive of this paragraph (a) must be dry and free of rubber, leather, wool, silk, wood, paper, muss, paint, grease, oil, dump or street rags, scorched rags, wiper trimmings, strippings and other foreign materials, unless otherwise spec-

> Maximum prices per short ton f.o.b.

Grades	point of sh	ipment
No. 1 whites repacked 1		\$76.00
No. 1 whites miscellaneous	2	64.00
Mixed whites 3		63.00
No. 2 whites repacked 4		58.00
No. 2 whites miscellaneous	5	53.00
Twos and blues repacked 6_		44.00
Thirds and blues repacked		44.00
Thirds and blues miscella	neous 8	36.00
No. 1 old blue overalls 9		50.00
No. 1 white laundry bags 10		135.00
No. 1 striped laundry bags		
No. 2 laundry bags 12		100.00
No. 2 striped laundry bags	13	80.00
No. 1 large old manila rope	9 14	115.00
No. 1 small old manila rope	2 15	105.00
Greasy or transmission rop	oe 16	60.00
Uncut manila fenders 17		105.00
No. 1 clean bright sisal stri	ings 18	80.00
No. 2 sisal strings 10		60.00
No. 1 large old sisal rope 20_		95.00
No. 1 small old sisal rope 21		85.00
· -		

1 No. 1 whites repacked consist of clean white cotton rags, free of lace curtains and colored rags.

2 No. 1 whites miscellaneous consist of the same rags as defined in No. 1 Whites Repacked, except that they may contain not more than 5% of lace curtains, 20% of No. 2 Whites Miscellaneous and 5% colored cotton rags, silk, rayon or wool rags.

3 Mixed whites consist of No. 2 Whites Repacked and must contain a minimum of

30% of No. 1 Whites Repacked.

No. 2 whites repacked consist of clean or soiled white cotton rags free of any colored

⁵No. 2 whites miscellaneous consist of clean or soiled cotton rags, and may contain not more than 25% of street whites, silk, rayon, wool or colored rags.

d Twos and blues repacked consist of white and colored cotton rags, of strictly house collection, and free of reds, blacks, or browns.

Thirds and blues repacked consist of the same rags as Twos and Blues Repacked, except that the whites may be eliminated.

⁸ Thirds and blues miscellaneous consist of the same rags as Thirds and Blues Repacked but may contain not more than 25% of reds, blacks, browns, silk, rayon or wool, and wiper trimmings.

No. 1 old blue overalls consist of clean or soiled blue overalls.

10 No. 1 white laundry bags consist of clean white laundry bags, free of all color and stripes.

"No. 1 Striped laundry bags consist of clean white laundry bags which may contain colored stripes.

12 No. 2 laundry bags consist of clean or soiled, white or off-colored laundry bags free of colored stripes.

¹³No. 2 striped laundry bags consist of clean or soiled, white or off-colored laundry bags, or laundry bags with colored stripes.

14 No. 1 large old manila rope consists of solid, clean, dry, sound manila rope not less than 34" in diameter, guaranteed free from any inferior or objectionable materials, such as tarred and transmission ropes; dirty, black, painted, greasy, oily, oil smeared, and latex treated rope or coal dust; rope wholly or partly composed of fibers other than manila and such materials as tender fiber, knots, nets, yarns, strands, shakings, cord, string, or other unsound fibers.

¹⁵ No. 1 small old manila rope consists of the same rope as defined in No. 1 large old manila rope, except that the rope may be less than

in diameter.

Greasy or transmission rope consists of the same rope as defined in No. 1 large old manila rope, except that dirty, olly, or greasy rope as well as rope containing coal dust or graphite may be present in the packing.

17 Uncut manila fenders includes uncut

manila fenders obtained from boats and docks, packed separately and free of mats, iron, grease, rubber, tender and other foreign materials.

¹⁸ No. 1 clean, bright sisal strings consists of new or old, clean, bright sisal strings free from cotton, jute, paper, tannery strings, rags, rubber, straw, and all other foreign materials.

¹⁰ No. 2 sisal strings consists of the same strings as No. 1 sisal strings, except that it may contain soiled, off-colored or tannery

sisal strings.

20 No. 1 large old sisal rope consists of solid. clean, dry, sound sisal rope not less than 3/4 in diameter, guaranteed free from any in-ferior or objectionable materials, such as tarred and transmission ropes; dirty, black, painted, greasy, oily, oil smeared, and latex treated rope or coal dust; rope wholly or partly composed of fibers other than sisal and such materials as tender fiber, knots, nets, yarns, strands, shakings, cord, string, or other unsound fibers.

21 No. 1 small old sisal rope consists of the same rope as defined in No. 1 large old sisal rope, except that the rope may be less than

34" in dlameter.

(b) Grades and maximum prices per short ton f. o. b. points of shipment for roofing rags. The grades listed below in this paragraph must be free of felt boots, hats, corsets, suspenders, oilcloth, straw matting, leather, rubber, rope, mackintosh clippings, wood, stones, metals, tin cans, glass, ashes, boxes, excelsior, packers and fertilizer bags, charcoal bags, coal bags, cement bags, chemical bags, salt bags, lime bags, plaster bags, bagging with asphalted-kraft attached, buffing wheels, rubberized cloth, auto curtains, auto cushions, felt punchings and trimmings, jute droppings, kapok or silk floss filled mattresses, burnt rags and other foreign materials.

No. 1 rooming rags 1	\$31.00
Seams and cloth strippings 2	31.00
No. 2 roofing rags 3	29,00
No. 3 roofing rags and No. 4 roofing	
rags 4	27, 00
No. 5 roofing rags:5	
Quality A	27, 00
Quality B	24.00
Quality C	19.00

¹No. 1 Roofing Rags consist of wool or satinet rags and rags from the following garments: Men's coats, pants, vests, mixed linsies, women's coats, slacks, and cloth skirts. Seams and cloth strippings may be included. The packings must be free of overalls, khaki, canvas, duck and quilts.

² Seams and Cloth Strippings consist of

seams and cloth strippings from wool and

satinet garments.

3 No. 2 Roofing Rags consist of mixed rags which may include linings, rag carpets, print rags, or stockings.

⁴No. 3 Roofing Rags and No. 4 Roofing Rags consist of jute bagging, Brussels and hardbacked carpets, upholstery cuttings, or plush cuttings.

5 No. 5 Roofing Rags: Quality A consists of tailor rags free of rubbish and paper; Quality B consists of tailor rags containing a maximum of 10% paper; Quality C consists of tailor rags which contain not more than 50% (c) Grade requirements.-

(1) No differentials. All prices established by this Maximum Price Regulation No. 47 are the maximum prices for the respective grades of waste rags, waste ropes and waste strings. No differentials or service charges other than those specifically provided for in this Section 1347.114 shall be added.

(d) Transportation allowances. The maximum prices which this Regulation establishes for waste rags, waste ropes and waste strings are to be applied f. o. b. point of shipment, which means that they are established at the point where the goods are first loaded on freight cars. trucks or barges for transportation to the buyer. This provision shall not apply, however, to imports of wastepaper from foreign countries into the U.S. In such cases, the maximum prices established shall be applied f. o. b. port or city

of entry in the U.S.

(1) Delivery charges. The fact that the maximum prices established by this Regulation are established f. o. b. point of shipment does not mean that goods have to be sold on that basis. Sales can be made on a delivered basis, or any other basis, provided that if the price in such a sale is computed to an f. o. b. point of shipment basis, as that point has been described above, it does not exceed the appropriate maximum price established by this Regulation.

When the seller incurs the expense of shipping the goods to the buyer, he may add to the maximum f. o. b. point of shipment price such of the following amounts as are applicable, as set out in subpara-

graphs (1) and (2), as follows:

(i) When transportation to the buyer is by public (common or contract) carrier, the lowest established transportation rate for such shipment;

(ii) When transportation to the buyer is by a vehicle owned or controlled by the seller, other than a common or contract

carrier:

(a) An amount not in excess of \$1.00 per short ton, plus actual toll charges, when the point of shipment and the buyer's premises are located in the same city, town or municipality, or at a distance of ten miles or less from each other by the shortest available public highway

(b) An amount per short ton not in excess of the lowest published rail rate for full carload shipments of waste rags, waste ropes and waste strings, when the point of shipment and the buyer's premises are not located in the same city. town or municipality and are at a distance of more than ten miles from each other by the shortest available public highway route.

(2) Loading charge. If there is no rail siding or barge dock at the point of shipment, and the waste rags, waste rags, waste ropes or waste strings are transported to and leaded on a freight car or barge at a public track or public barge dock for transportation to the buyer at the expense of the seller, the seller may add to the shipping point price an amount not in excess of \$1.00 per short ton for such transportation and

loading.

No allowance may be added under any circumstances, if either the point of shipment or the public track or barge dock at which the waste rags, waste ropes or waste strings are loaded is within the limits of the railway switching district of Chicago, Illinois.

(e) Invoice requirements. All sales of waste rags, waste ropes or waste strings to a consumer shall be invoiced. The invoice shall state as separate items the

following data:

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(1) The grade name. This shall be: The applicable grade name set forth in paragraphs (a) or (b) of this § 1347.114.

(2) The origin of the shipment. This shall include the name of the city or town where the point of shipment is located, except that where the point of shipment and the buyer's premises are located in the same city, town or municipality, or at a distance of ten miles or less from each other by the shortest available public highway route, the street address and city where such point of shipment is located shall be shown.

(3) The destination of the shipment. This shall include the name, street ad-

dress and city of the consumer.

(4) Any amount charged by the seller for transportation of the waste rags, waste ropes or waste strings, and if delivery is made in a vehicle owned or controlled by the seller, the mileage for which such delivery charge is made.

(f) Brokerage. (1) In the event that a consumer shall purchase waste rags, waste ropes or waste strings through a broker, as defined in § 1347.111 (a) (7) hereof, such consumer may pay such broker not more than the maximum price herein and an allowance to the broker not to exceed the brokerage allowances established in subparagraph · (3) below. In no event shall a person receive brokerage or the proceeds of brokerage on waste rags, waste rope, or waste string packed by him. In no event shall a person receive brokerage on the pack of another person pursuant to any contract, agreement or understanding of any sort whatsoever between the two, whereby each is to sell, and charge brokerage on, the pack of the other.

(2) The maximum prices established herein can in no case be augmented by more than one brokerage allowance for each ton. In addition to the price paid by the consumer, a broker may receive a broker's allowance only from a consumer, provided the transaction in question fulfills all of the following require-

ments:

(i) The broker records the name or names of his vendor or vendors in each transaction, the quantity and grade of waste rags, waste ropes or waste strings purchased, the price f. o. b. point of shipment paid by such broker, the name of his consuming purchaser, the method of shipment to such consuming purchaser, the price paid by such consuming purchaser, and the broker's allowance.

(ii) The sale is made to the consumer by the broker.

(iii) The waste rags, waste ropes or waste strings sold by the broker to the consumer have been commercially sorted and baled by a person other than the broker: *Provided*, That in the event a transaction complying with all other requirements of Revised Price Schedule

No. 47 involves waste rags, waste ropes or waste strings sorted and baled both by the broker and by another person, the broker may charge an allowance only with respect to the tonnage of waste rags, waste ropes or waste strings, sorted and baled by such other person.

(iv) The broker guarantees the merchantable quality of the waste rags,

waste ropes or waste strings.
(v) The broker's allowance in such transaction is shown as a separate item in the billing or invoice. This billing or invoice shall contain a statement that the waste rags, waste ropes or waste strings covered have not been packed by the broker and that the charges are not in excess of those established by Maximum Price Regulation No. 47.

(vi) The broker's allowance is not split or divided with any other person.

(vii) All pertinent provisions in Maximum Price Regulation No. 47 are strictly complied with.

(3) Price for grade of waste rags, waste ropes and waste strings.

Broller's allocrance For ton \$1,00 Up to £31.00____ Up to £31.00_____ £31.01 to £33.00_____ 876.01 to 8115.00____ \$115.01 to \$135.00.

Issued this 5th day of January 1943.

LEON HENDERSON. Administrator.

[F. R. Doc. 43-220; Filed, January 5, 1943; 4:02 p. m.]

PART 1351-FOOD AND FOOD PRODUCTS [MPR 2621, Amendment 3]

SEASONAL AND MISCELLANEOUS FOOD COMMODITIES

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Faderal Register.°

Sections 1351.955a, 1351.958a and 1351.965 (a) (15) are added and § 1351.965 (a) (1) and an item in § 1351.969 are amended, all to read as set forth below:

§ 1351.955a Maximum prices for new container sizes and new formulae of canned boned chicken and canned boned turkey for sales to the United States or any agency thereof. (a) The maximum price per dozen or other unit of canned boned chicken and canned boned turkey for sales to the United States or any agency thereof in any new container size of the same or of a different formula of product from that sold to this class of purchasers during March 1942 shall be calculated as follows. The producer shall:

(1) Select the base container size of the formula to be priced. The producer shall first select the nearest container size of the same formula, or, if he did not sell the same formula, then of a dif-

¹7 F.R. 9244, 10344.

ferent formula of canned baned chicken or canned boned turkey sold by him to the United States or any agency thereof during March 1942. He shall then calculate new maximum prices for that nearest container size of the same or different formula (as the case may be) of canned boned chicken or canned boned turkey under the provisions of § 1351.955 (even though he may no longer sell or intend to sell that size).

For purposes of this section only, canned boned chicken may be considered a commodity comparable to canned

boned turkey.

As used in this paragraph "formula" means that proportion of chicken or turkey meat, skin, broth and salt specified by the agency of the United States making the purchase.

(2) Deduct the container cost. Taking the maximum price per dozen or other unit which he has already calculated for the selected base container size, the producer shall then subtract container costs per dozen or other unit of that container.

(3) Adjust for the difference in contents. The figure obtained by this dzduction shall then be adjusted by dividing it by the number of ounces in that sized container and multiplying the result by the number of ounces in the new sized container being priced.

(4) Add the new container cost. Finally, the packer shall add to this adjusted figure container costs for the size and formula per dozen or other unit of the sized container being priced.

As used in this paragraph "container costs" means the invoice price delivered at the producer's factory of the container, label, cap (if any), shipping case, dividers (if any), metal strapping (if any) and all other materials specified by the purchaser as required packing material. "Container costs" shall be computed in accordance with the provicions of paragraph (a) of § 1351.955.

(b) If a producer did not sell canned boned chicken or canned boned turkey during March 1942 to the United States or any agency thereof, he shall take as his maximum price for sales to pur-chasers of that class the maximum price of his most closely competitive producer of the same class for sales of canned boned chicken or canned boned turkey to the United States or any agency thereof as determined under this Regulation.

§ 1351.9582 Exempt sales. This regulation shall not apply to the following:

(a) Retail sales or deliveries of commodities made or produced by the seller at his home solely for his own account, without the assistance of hired employees, if the total of such sales or deliveries does not exceed \$75.00 in any one calendar month.

(b) Sales or deliveries of canned chili con carne to the United States or any agency thereof.

§ 1351.965 Definitions. (a) When used in this Maximum Price Regulation No. 262 the term:

(1) "Producer" means a person, firm or corporation operating an establishment producing, manufacturing or proc-

^{*}Copies may be obtained from the Office of Price Administration.

essing a commodity listed in Appendix A or B hereof.

(15) "Fountain fruits" means processed fruits in syrup, either whole, cut or crushed and packed in container sizes customarily bought by drug stores, soda fountains, ice cream manufacturers, taverns, etc. including, but not limited

Bananas in syrup. Cherries, whole. Cherries, sliced. Cherries, crushed. Cherries, Mareschino in containers of 28 fluid ounces or larger. Fruit salad. Orange-Pineapple. Peaches, brandy flavored. Peach Melba. Pineapple, crushed. Pineapple, cubes. Pineapple, maraschino. Raspberries, crushed. Raspberries, whole. Strawberries, crushed. Strawberries, whole. Tutti-Frutti (or similar combinations).

§ 1351.969 Appendix B: Miscellaneous food commodities covered by this regulation. The following miscellaneous food commodities are covered by and shall be governed by this Maximum Price Regulation No. 262.

Canned boned chicken. Canned boned turkey.

§ 1351.967a Effective dates of amendments. *

(c) This Amendment No. 3 to Maximum Price Regulation No. 262 (§§1351.-955a, 1351.958a, 1351.965 (a) (1) and (15), 1351.969 and 1351.967a (c) shall become effective January 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

LEON HENDERSON, Administrator.

[F. R. Doc. 43-281; Filed, January 5, 1943; 4:00 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[Ration Order 5C,1 Amendment 9]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

A new paragraph (v) to § 1394.7706 is added, as set forth below:

Supplemental Rations

§ 1394.7706 Preferred mileage. * * (v) By a person principally engaged in selling eligible commodities, who has

°Copies may be obtained from the Office of Price Administration.

driven or who has assumed the duties of a person who has driven more than an average of 723 miles per month for the purpose of selling such commodities during the calendar year of 1942 or the part thereof during which such person was so engaged: Provided, That the applicant or the person whose duties he has assumed has been principally engaged in selling such commodities for the three-month period preceding the date of application under this paragraph. No ration for preferred mileage may be issued under the provisions of this paragraph in the gasoline shortage area until the Office of Price Administration finds that the available gasoline supply in such area justifies extension of the provisions of this paragraph to such area.

(1) Eligible commodities shall for the purpose of this paragraph be:

(i) Necessary equipment or necessary materials for the operation of establishments or facilities of the categories listed in paragraph (o) of this section only, including: naval, military or hospital establishments or facilities, establishments or facilities of public utilities, common carriers or other essential carriers, or industrial, extractive or agricultural establishments essential to the war effort;

(ii) Foods, building materials, clothing, fuels or medical supplies which are essential to the health or safety of the community: Provided, That no mileage may be allowed under this paragraph for selling directly to the ultimate consumer for personal, family or household use: Provided further, That no mileage may be allowed under this paragraph for selling alcoholic beverages, soft drinks or similar beverages, ice cream, confections or candy, flowers, novelties, jewelry or furs, or any foods, building supplies, clothing, fuels or medical supplies which are not essential to the health or safety of the community.

(2) Application for a ration to be issued pursuant to this paragraph shall be made on Form OPA R-535 or Form OPA R-551, as the case may be, and shall be accompanied by a statement. certified by the applicant, showing:

(i). The types of commoditien which are sold by the applicant and the approximate percentage of time employed in selling each:

(ii) The kinds of establishments or facilities which use the equipment or materials sold, and the types of persons to whom the foods, building materials, clothing, fuels or medical supplies are sold by the applicant; and

(iii) The types of commodities sold by the applicant during the calendar year 1942, the number of months the applicant was engaged in selling each type, and the average monthly mileage driven in selling eligible commodities in 1942 or the part of that year during which he was engaged in selling such commodities: Provided, That whenever the applicant has taken the place or assumed the duties of a person principally engaged in selling eligible commodities for all or part of the three-month period prior to the date of application, or for a period prior thereto, the applicant shall show as his average monthly mileage the average monthly mileage driven in the selling of eligible commodities by himself and his predecessor, but shall not include any mileage driven by either prior to 1942.

(3) If a Board finds the facts stated on the application to be true, it shall determine the monthly average of the mileage driven by the applicant (or the person whose duties he has assumed) for the purpose of selling eligible commodities of the types specified in this paragraph, during the period from January 8 to December 31, 1942. If such average exceeds 723 miles per month, the Board, upon surrender of the current suplemental or fleet ration (if any) held by the applicant, may, in addition to any other preferred mileage which may be allowed, issue a ration providing allowed occupational mileage of sixtyfive (65) percent of such monthly average but in no event more than an average of 717 miles per month.

Ф Effective Dates

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§ 1394.8532 Effective dates of amendments.

(i) Amendment No. 9 (§ 1394.7706 (v)) to Ration Order 30 shall become effective January 8, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 507, 421, 77th Cong.; W.F.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121, E.O. 9125, 7 F.R. 2719)

Issued this 5th day of January 1943.

LEON HENDERSON, Administrator.

[F. R. Doc. 43-282; Flied, January 5, 1943; 4:00 p. m.]

PART 1400-TEXTILE FABRICS, COTTON, Wool, Silk, Synthetics and Admix-TURES

[MPR 118, Amendment 15]

COTTON PRODUCTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Added: §§ 1400.101 (b) (5), 1400.118 (a) (8), 1400.118 (d) (18) Reference Nos. 20a and 20b, 1400.118 (d) (19) (ii) (k), 1400.118 (d) (32), and 1400.118 (d) (33).

The following item is added to § 1400.-118 (d) (8) (iii) (e):

These maximum prices shall also apply, in lieu of those established in (b) above, to sale and deliveries of 8 oz. and 9 oz. gem ducks (in the grey), by the Shoe Fabrics Division of Pepperell Manufacturing Company, 160 State Street, Boston, Massachusetts, to shoe manufacturers.

The following item is added to § 1400.-118 (d) (19) (i):

The maximum prices set forth in (k) of (ii) below are subject to terms of 2 per cent 10 days, 60 extra, with antici-

¹7 F.R. 9135, 1787, 10147, 10016, 10110, 10338, 10786, 10787, 11009, 11070.

pation at 6 per cent per annum allowed where payment is made after 9 days.

- § 1400.101 Maximum prices for cotton products.
- (5) The maximum price for any cotton product for which a seller is unable, after diligent inquiry, to determine a maximum price under subparagraphs (1), (2), (3) and (4), shall be a price authorized by the Office of Price Administration, Washington, D. C. In requesting authorization of a price hereunder, the applicant shall submit a complete description of the cotton product (including width, weight, cloth count and yarn numbers), itemized production costs, terms of sale, and a full description of the use for which the cotton product

is to be produced; chall set forth the reasons why it cannot be priced under the other provisions of this paragraph; and shall state what efforts have been made to use such other provisions. It is not permissible to sell or deliver any cotton product which is to be priced under this subparagraph (5) until after the Office of Price Administration has authorized a maximum price, except as is permitted by § 1400.101 (e).

§ 1400.118 Specific and formula maximum prices for certain cotton products: construction reports. (a)

(8) For wincheel:s and woven curtain nets: January 11, 1943.

(d) ° ° °

(18) Miscellaneous special products.

Reference no.	Decemption	Producer	Maximum prim
* * * •	Finished moods cloth readured from the fillawing	• • •	• • •
M-200	Finished meads cloth produced from the following grey constructions or any clotaly related construc- tions serving the same functional use, confirming		
)3)b	to Federal Specifications U-F-f01. 41" 74 x 80 2.0 i (grey)		21 cents per yard. 21.025 cents per yard

(32) Pinchecks—(i) Terms of sale. The maximum prices for pinchecks set forth below are subject to terms of 2 per cent 10 days, 60 extra, with anticipa-

tion at the rate of 6 per cent per annum where payment is made after 9 days.

(ii) The following are the maximum prices for the constructions of pinchecks listed below:

(a) Alabama Mills.

Reference No.	Construction	Finkh	Conts por yard
1	31½" 70 x C3 3.11	Regular	17. 23
	01½" 84 x 42 2.85	Sanfonsel	20. 23
	58½" 70 x 63 2.65	Regular	18. 73
	57" 84 x 42 2.60	Sanfonsel	21. 73

(b) Pepperell Mfg. Co.

Reference No.	Construction	Finch	Cents yer yard
1	36" 76 x 44 2.35	Sanforizad	21.73

(33) Woven curtain nets—(i) Terms of sale. The maximum prices for woven curtain nets set forth below are for yard goods, put up cuttersfold, except in the case of goods marked "price per panel," and are subject to terms of 2 per cent 10

days, 60 days extra, with anticipation at the rate of 6 per cent per annum where payment is made after 9 days.

(ii) The following are the maximum prices for the styles of woven curtain nets listed below:

(a) Mooresville Cotton Mill.

Reference No.	Style No.	Construction	Cents per yard
	214C 200C 200C 200C 200C 200C 200C 200C 20	C5" 12 x 10 10.01 C5" 12 x 10 12.51 C5" 12 x 10 12.51 C5" 12 x 10 12.13 C6" 12 x 10 12.13 C7" 12 x 10 12.73 C5" 23 x 10 4.73 C5" 23 x 12 7.44 C5" 21 x 12 9.73 C5" 21 x 12 9.73 C5" 25 x 14 7.94 C6" 25 x 14 7.94	77: 62: 7 7: 14: 11: 10: 9: 9: 11:

(b) New Braunfels Textile Mills, Inc.

Reference No.	Style No.	Construction	Cents per yard
1	32 91 115 130 132 804 3115 8901	36" 23 x 14 14.57 36" 22 x 14 8.19 36" 22 x 14 11.56 36" 22 x 12 7.50. 39" 38 x 32 9.02 36" 22 x 14 14.57 36" 22 x 14 8.86	*14 8 *1914 714 11 *1416 *2014 714

*Cents per panel.

(c) Pomona Mfg. Co.

Reference No.	Style No.	Construction	Cents pe yard
	1254 1253 1259 1259 1370 1370 1376 1377 1382 1383 1385 1386 1386 1387 1389 1389 1389	36" 21 x 12 9.62 36" 21 x 12 9.62 36" 22 x 14 15.82 36" 22 x 14 15.82 36" 20 x 11 16.20 36" 21 x 12 7.35 36" 21 x 12 7.35 36" 21 x 12 7.35 36" 20 x 12 9.42 36" 20 x 11 9.42 36" 20 x 11 9.42 36" 20 x 11 9.42 36" 20 x 12 9.42 36" 20 x 11 10.20	88 88 55 10 88 88 88 55 75

(d) Pilot Mills Co.

Reference No.	Style No.	Construction	Cents pe yard
	14562	36" 12 x 12 8.73	8
	14565 16030		10
	16031	36" 20 x 8 6.82	10
	16041	36" 12 x 12 8.34	10 9 14
	16044 16047	36" 29 x 30 5.10	14 7
	16060	36" 12 x 12 10.19	Ž
	16061 16063	36" 12 x 12 11.35	11
	16064	36" 20 x 8 7.68	9
	16066 16067	36" 20 x 10 9.03	7
	16068	36" 20 x 10 12.17	6
	16069 16073	36" 20 x 14 7.58	10
	16074 16079	36" 20 x 14 7.53	10 9 0
	16080	36" 20 x 10 11.45	Č

(iii) Seconds and shorts. For seconds and short lengths, the maximum prices set forth above shall be discounted as follows:

1/10 _____ (19) Yarn-dyed slack suitings. * *

Percent 5 20/40 _____

(ii) * * *

Seller	Reference No.	Description	Maximum prico
(k) Cannon Mills, Inc		1 Style 3866 (50% color). 2 Style 3866 (75% color). 3 Style 3866 (100% color). 4 Style 4416 (75% color). 5 Style 4416 (75% color). 6 Style 4416 (75% color). 7 Style 4923 (50% color). 8 Style 4923 (75% color). 9 Style 4923 (100% color).	Cents per yd. 19% 19% 20% 101% 20% 20% 20% 20% 20% 20% 20% 21%

§ 1400.117 Effective dates of amendments. * * *

(c) Amendment No. 15 (§§ 1400.101
(b) (5), 1400.118 (a) (8), 1400.118 (d)

(8) (iii) (e), (d) (18) Reference Nos. 20a and 20b, (d) (19) (i), (d) (19) (ii) (k), (d) (32), (d) (33)), to Maximum Price Regulation No. 118 shall become effective January 11, 1943.

Cong.; 77th 729, and 7871) (Pub. Laws 421 E.O. 9250, 7 F.R.

Issued this 5th day of January 1943. Administrator. LEON HENDERSON,

January 6, 1943; Filled, 5 43-283; F R. Doc. Ŀ

SERVICES ä [Amendment 83 to Supp. Reg. 141 AND PART 1499-COMMODITIES GMPR "

FLUID MILK AND CREAM

tions in-amendof the considerations of this volved in the issuance statement

1 F.R., 6486, 6709, 6911, 6008, 6271, 6369, 6473, 6477, 6774, 6776, 6776, 6793, 6887, 6892, 6939, 6961, 7013, 7023, 7236, 7289, 7386, 7400, 7401, 7483, 7610, 7611, 7635, 7636, 7636, 7636, 7638, 7739, 7671, 7812, 7614, 7646, 8024, 8199, 8237, 8281, 8268, 8652, 8075, 8082, 8199, 8237, 8084, 8105, 8087, 8087, 8087, 8083, 8089, 8080, 1011, 10023, 10161, 10231, 10234, 10234, 10346, 1031, 1031, 10321, 10331, 10 4487, 4665, 4738, 655 6484, 6565, 6776, 678 0216, 6616, 6704, 635 7013, 8431, 8881, 836 0732, 10165, 10454.

simultaneously herewith and filed with the Division ment has been issued the Federal Register.*

of subdivision (ii) of § 1499.73 (a) (1) is amended; two new inferior subdivisions (1); two new inferior subdivisions (n) and (o) are added to subdivision (ii) of (p) and (q) are added to subdivision (vi) of § 1499.73 (a) (1), as set forth below: 3 \S 1499.73, (a) (1); inferior subdivision (h) Inferior subdivision (a) of subdivision new inferior subdivisions (n) and (o) added to subdivision (1) of § 1499.73 of § 1499.73 (a) (1) is amended; €

(a) The maximum prices established by § 1499.2 of the General Maximum Price Regulation for the commodities, services, and transactions listed below are modified as hereinafter provided: prices established by § 1499.2 of General Maximum Price Regulation for certain commodities, services, and transactions. maximumó Modification \$ 1499.73

(1) Fluid milk and cream—(1) Maximum prices for fluid milk sold at retail in specified localities.

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ö *Copies may be obtained from the Office Price Administration.

Locality	Special type	Grado	Typo of delivery	Contoiner ciro	Contoiner Typo of con- cies toiner	Ad- jucted maxi- mum prifes (cente)
(9) Now York Met- ropoliton arch. Ouk-feter sales and home delicates.	Altrreal types and Algebras. Out of there Altrreal types and Algebras Out of there of to	Approved. Approved. Approved. Approved.		Cunt.	Olacs. Infor- Ola 9. Fabor Ulveserpaper	12 15 18 18

D'Notwithstauding \$1499 2, General Precisions, of the feweral Maximum Fries leablykison (1) of \$1499,72 (a) (1) above, the reliefs muslmum pries for your shall be the specific amounts set ferth in table above. Fre also intra footnote 4.

Pint, 14 pint, and 15, quart container sizes. Every celler may add to his maximum price in effect on January 1, 1943 for fluid milk in pint, 15, pint, and 15, quart container sizes an amount proportionate to the increase in his maximum selling price for quart container sizes resulting from the foregoing specific maximum prices for out-of-store sales and home deliveries.

Retail sales to other classes of purchasers. The seller may add 14 per quart, or a proportionate amount for a part of a quart, to his maximum price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, for retail sales of fluid milk to classes of purchasers not included in out-of-store sales and deliveries-to-the-home. Maximum prices set for the table above.

Type of con- failor failor price price price price price price price	Glass or paper. Plus 35.
Container	Quart Pint Pint Quart Column C
Type of delivery	Out of store Out of store Out of store Out of store To the home To the home To the home To the home Out of store To the home To the home To the home
Grado	Approved
Special type	All special types and butternilk and All special types and All special types and All special types and butternilk.
Locality	(n) Chicago, Illinois area. Out-of-store sales and home delicerica.

• Coleulations. If the maximum price results in a fraction of a cent, it may be adjusted to the nearest 3, cent. In the care of single unit sales at retail, however, any maximum price resulting in a fraction of a cent must be reduced to the lowest even full fine fraction is less than 25, and may be increased to the nearest lister even ecent if the fraction is 3½ are more. Home delivered educil be considered multiple unit sales unless reparate evilections are much for single units delivered.

Sales to other classes of purchasers. The celler may add 1k per quart, or a proportionate amount for a part of a quart, to his maximum price, as determined under § 1899.2, General Provisions, of the General Maximum Price Regulation, for cales to classes of purchasers not included in out-of-store cales and deliveries-to-the-home. Maximum prices for cales to such electes of purchasers, howover, shall not in any event be higher than the maximum prices cot forth in the table above.

Plus L.
Quart (threerporce Plus & Badurt (threepoper Plus & Quart (threepoper Plus & Quart (threepoper Plus & Bus & Bu
Quart Yint ½ pint ½ quart Pint ½ pint ½ quart
out of cions or to the bound of cions of the brane. Out of cions of the brane. Out of cions or to the brane. Out of stores or to the brane.
Approved Approved Approved Approved Approved Approved
Out-of-store sets and house. Out-of-store sets and house.
(o) Duluth-Euper- larnen. Oulesfeierealend hone deliteriess

• Calvulationy. If the maximum price results in a fraction of a cent, it may be adjusted to the nearest if cont. In the case of single unit sales at refull, however, any maximum price resulting in a fraction of a cent must he reduced to the lowest even cent if the fraction is less than if and number in a price of the fraction is if it is not the fraction is if it is not delivered and increased to the marrest higher even each if the fraction is if it is more. It is delivered, shall be considered multiple unit sales unless separate cultections are made for single units delivered.

Retail sales to other classes of purchasers. The seller may add 1¢ per quart, or a proportionate amount for a part of a quart to his maximum price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, for sales to classes of purchasers not included in out-of-store sales and deliveries-to-the-home. Maximum prices for sales to such classes of purchasers, however, shall not in any event be higher than the maximum prices set forth in the table above.

(ii) Maximum prices for fluid milk sold at wholesale in specified localities.

Locality	Special type	Grade	Container size	- Type of container	Adjusted maximum price (cents)
(h) New York Metro- politan area. Sales to stores, hotels, res- taurants, and institutions.6		Approved	Quart Quart	GlassPaper	12½ 13½

ONotwithstanding § 1499.2, General Provisions of the General Maximum Price Regulation and subdivision (ii) of § 1499.73 (a) (1) above, the seller's maximum price for quart container sizes shall be the specific amount set forth in table above.

Pint, 1/2 pint, and 1/3 quart container sizes. Every seller may add to his maximum price in effect on January 1, 1943, for fluid milk in pint, 1/2 pint and 1/3 quart container sizes, an amount proportionate to the increase in his maximum selling price for quart container sizes as the result of the foregoing specific maximum prices for sales to stores, hotels, restaurants and institutions.

Sales to other classes of purchasers. The seller may add 1¢ per quart, or a proportionate amount for a part of a quart, to his maximum price in effect on January 1, 1943 for sales to classes of purchasers other than stores, hotels, restaurants, and institutions. Maximum prices for sales to such classes of purchasers, however, shall not in any event be higher than the maximum prices set forth in the table above.

Locality	Special type	Grade	Container size	Type of container	Adjusted maximum price (cents)
(n) Chicago, Illinois area. Sales to stores, hotels, res- taurants, and institutions.	All special types and but-	ApprovedApprovedApprovedApprovedApprovedApprovedApproved	Quart Pint ½ Pint Quart Pint ½ Pint	Glass or paper	Plus 1. Plus ½. Plus ¼. Plus 1. Plus ½. Plus ¼.

Sales to other classes of purchasers. The seller may add 1¢ per quart, or a proportionate amount for a part of a quart, to his maximum price, as determined under § 1499.2, General Provisions, of the General Price Regulation, for sales to classes of purchasers other than stores, hotels, restaurants, and institutions. Maximum prices for sales to such classes of purchasers however, shall not in any event be higher than the maximum prices set forth in the table above.

Locality	Special type	Grado	Container size	Type of container	Adjusted maximum price (cents)
(o) Duluth, Superior area. Sales to stores, hotels, restaurants, and institutions.	All special types and but- termilk. All special types and but- termilk. All special types and but- termilk.	Approved Approved Approved Approved Approved	Quart Pint	Glass or paper	Plus 1. Plus ½. Plus ¼. Plus 1. Plus ½. Plus ½.

Sales to other classes of purchasers. The seller may add 1¢ per quart, or a proportionate amount for any part of a quart, to his maximum price, as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, for sales to classes of purchasers other than stores, hotels, restaurants, and institutions. Maximum prices for sales to such classes of purchasers shall not in any event be higher than the maximum prices set forth in the table above.

(vi) Definitions. For purposes of this subparagraph (1):

(p) "Chicago area" means the territory included in the marketing area geographically defined in Federal Milk Marketing Order No. 0-41, as amended, issued by the Secretary of Agriculture on September 1, 1939.

(q) "Duluth-Superior area" means the territory included in the marketing area geographically defined in the Federal Milk Marketing Order No. O-54, as amended, issued by the Secretary of Agriculture on May 5, 1941. (b) Effective dates. * * *

(b) Effective dates.

(84) Amendment No. 83 (§ 1499.73 (a) (1)) to Supplementary Regulation No. 14 shall become effective January 4, 1943 and terminate on April 1, 1943.

Issued this 4th day of January 1943.

LEON HENDERSON, Administrator.

[F. R. Doc. 43-163; Filed, January 4, 1943; 11:46 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II-Corps of Engineers, War Department

PART 204-DANGER ZONE REGULATIONS JACKSONVILLE, FLA., GUNNERY AND BOMBING TARGET AREA

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), the following regulations are hereby prescribed to govern the use and navigation of the waters of the Atlantic Ocean, north of St. Marys Entrance, comprising a gunnery and bombing target area of the United States Naval Air Station, Jacksonville, Florida.

§ 204.81a Waters of the Atlantic Ocean: U. S. Naval Air Station, Jacksonville, Florida, gunnery and bombing target area, north of St. Marys Entrance 1-(a) The danger zone. The gunnery and bombing target area is located about 4.9 nautical miles offshore from Cumberland Island, Georgia, and 5.1 nautical miles north of the entrance to Fernandina Harbor, Florida, in a circle having a radius of one nautical mile, with its center at north latitude 30°48' and west longitude 81°21'30". The military operations which will be carried on in this area consist of firing at a target raft cluster from weapons mounted in airplanes flying at varying altitudes, and the dropping of practice aerial bombs from airplanes on points within the area. The target cluster will be located at the center of the danger area and there will be no additional marking of the area.

¹ Chart filed as part of the original document.

(b) The regulations. (1) No vessel or other craft shall enter or remain within the area designated during its use for target practice except as provided in subparagraph (4) of this paragraph.

(2) Bombing and target practice will take place in the area at frequent and irregular intervals throughout the year, regardless of season, and advance no-tice will be given of the date on which the first of such activities will begin. At intervals of not more than three months thereafter, notice will be given that practice is continuing. Such notices will appear in the local newspapers and in "Notice to Mariners".

(3) Prior to conduct of each practice, the danger area will be patrolled by naval aircraft which will warn navigation to leave the area, by "zooming" a safe distance to the side. Upon receiving this signal any watercraft within the danger zone shall immediately leave it and no craft shall enter the area until

practice has ceased.

(4) These regulations shall not deny access to or egress from harbors contiguous to this danger area by regular cargo-carrying vessels, nor shall they deny traverse of portions of the danger area by regular cargo-carrying vessels proceeding on established steamer lanes. In case of the presence of any such vessel in the danger area, the officer in charge of gunnery and bombing operations shall cause the cessation or postponement of fire until the vessel has cleared the area. The vessel shall pro-ceed on its normal course and not delay its progress.

(5) These regulations will be enforced by the Commandant, United States Naval Air Station, Jacksonville, Florida, and such other agencies as he may designate. (Sec. 7, 40 Stat. 266; 33 U.S.C. 1) [Regs. December 24, 1942 (CE 800.2121 (Atlantic Ocean, Fla.)—SPEON)]

[SEAL]

J. A. Ulio, Major General, The Adjutant General.

[F. R. Doc. 43-287; Filed, January 6, 1943; 9:46 a. m.]

TITLE 46-SHIPPING

Chapter I-War Shipping Administration PART 306-GENERAL AGENTS AND AGENTS [General Order 12, Supp. 11 (Revised)]

COMPENSATION PAYABLE TO GENERAL AGENTS AND AGENTS-DRY CARGO VESSELS

The amendments to General Order 12. Part I. Compensation Payable to General Agents and Agents-Dry Cargo Vessels, contained in Supp. 11 and published in the FEDERAL REGISTER on December 22, 1942 [7 F.R. 10724] are revised to read:

Section 306.7 Compensation of agents in continental United States ports is amended, effective as of its inception, by striking out all thereof preceding the first colon, and inserting in lieu thereof:

§ 306.7 Compensation of agents in continental United States ports. As compensation for each handled ton loaded or discharged by the vessel in continental United States ports, each agent shall be compensated as provided in the following paragraphs, out of which the agent will pay his sub-agents:

and is further amended, effective as of October 1, 1942, by striking out paragraph (b) and inserting in lieu thereof:

(b) 10¢ per handled ton for all outward and homeward bulk cargo or cargoes, and for all coastwise cargo except single cargoes of coal and sulphur coastwise, on which the agent shall be compensated at one fee of 31/2e per handled ton. Where there is a sub-agent appointed to handle a single cargo coastwise of coal or sulphur, the sub-agent shall receive 80% of the compensation provided herein.

(E.O. 9054, 7 F.R. 837)

[SEAL]

E. S. Luid. Administrator.

JANUARY 6, 1943.

[F. R. Doc. 43-296; Filed, January 6, 1943; 11:00 a. m.l

[General Order 25]

PART 341-SHIP WARRANT RULES AND REGULATIONS

DEFINITIONS, CLASSES OF VESSELS, ETC.

OCTOBER 1, 1942.

Pursuant to the authority conferred by the Act of July 14, 1941, (Public Law 173, 77th Congress) and the Executive Order of August 26, 1941, and transferred to the Administrator of the War Shipping Administration by the Executive Order of February 7, 1942, as amended by the Executive Order of September 16, 1942, these rules and regulations pertaining to ship warrants are hereby promulgated. Upon becoming effective, these rules and regulations supercede the Ship Warrant Regulations promulgated by the United States Maritime Commission on August 14, 1941, approved by the President on August 26, 1941, and adopted by the War Shipping Administration on February 18, 1942, as amended by order of the United States Maritime Commission on December 16, 1941, and by order of the War Shipping Administration on June 19, 1942. (Sec. 341.1 to 341.73, incl.)

SUBPART A-DEFINITIONS

§ 341.1 Definitions. As used in these rules and regulations the following terms, unless the context indicates otherwise, shall be construed as follows:

(a) "Vessel" shall mean watercraft or other artificial contrivance, of whatsoever description, used or capable of being used as a means of transportation on water: Provided, however, That a new hull while under construction shall not be deemed to be a vessel;

(b) "Citizen of the United States" shall include natural persons who are citizens of the United States, and corporations, partnerships, and associations existing, authorized, or organized under the laws of the United States or any State, District, Territory, or possession thereof;
(c) "Administration" shall mean the

War Shipping Administration;

(d) "Act" shall mean the Act of July

14, 1941 (Public Law 173, 77th Congress);
(e) "Facilities" shall include services relating to, and physical equipment employed in, the loading, discharging, lighterage, or storage of cargoes, the procurement of bunker fuel or coal, and towing (except as hereinafter provided), overhauling, drydocking, or repair of vessels; Provided, however, That these rules and regulations shall not apply with respect to inbound towing into any port of the United States or of its territories or possessions, including the Philippine Islands and the Canal Zone; Provided further, That these rules and regulations chall not apply to the use of facilities exclusively engaged in servicing vessels of the class defined in § 341.33 (h); (f) "Certificate of Warrant" shall

mean the original copy of a warrant issued by the Administration to a Class A

vessel (defined in § 341.32);

(g) "Warrant holding vessel" shall mean any vessel deemed under § 341.31 to hold a warrant issued pursuant to the Act:

(h) "Non-warrant holding vessel" shall mean any Class A vessel (defined in § 341.32) which does not hold a certificate of warrant issued by the Administration:

(i) "Charter hire or equivalent" shall mean compensation under any (1) charter party, or (2) bill of lading or other contract of affreightment:

(j) "Repair" shall include any reconstruction, alteration, reconditioning, outfitting, or equipping of vessels; and

(k) "Priority" shall mean priority in the use of a facility by a vessel.

SUPPART E-PRIORITIES

§ 341.11 Priority of warrant holding vessels. Every facility within the United States, its territories or possessions, including the Philippine Islands and the Canal Zone, shall (notwithstanding any contract, agreement, obligations, or understanding to the contrary) grant priority in its use to warrant holding vessels (including vessels entitled to priority under § 341.33 hereof) over merchant vessels not holding warrants issued pursuant to the Act.

§ 341.12 Priority for warrant holding vessels regardless of date of application for service. A warrant holding vessel shall be entitled to priority over a nonwarrant holding vessel even though the application for service of the non-warrant holding vessel preceded that of the warrant holding vessel.

§ 341.13 Priority as between warrant holding vessels. In the absence of special orders issued by the Administration under § 341.14, priority among warrant holding vessels shall be governed by custom and the usual order of business.

§ 341.14 Order of priority as between vessels. Whenever the public interest shall be served thereby, the Administration may issue special orders specifying the ports, places, and facilities at which warrant holding vessels (generally or particularly) shall be accorded priority over other vessels, and the order in which such warrant holding vessels shall have priority among themcelves at such ports, places and facilities.

§ 341.15 Suspension of servicing nonwarrant holding vessels. In case a facility shall have begun servicing a nonwarrant holding vessel and a warrant holding vessel presents itself or applies for service at such facility, the servicing of the warrant holding vessel shall not be postponed or delayed, because of the servicing of the non-warrant holding vessel, and the servicing of the non-warrant holding vessel shall be suspended or deferred to the extent necessary: Provided, That if the servicing of the non-warrant holding vessel has proceeded to such a point that it would be unsafe to remove it, or if the time required to remove it and to prepare the facility for servicing the warrant holding vessel would exceed the time required to complete the servicing, such servicing may be continued and completed.

SUBPART C-CLASSES OF VESSELS

§ 341.31 Vessels entitled to priorities. A vessel shall be deemed to hold a warrant issued pursuant to the Act, and to be entitled to all the priority privileges of a warrant holding vessel, if (a) it is a Class A vessel, as defined in § 341.32 and holds a certificate of warrant issued by the Administration, or (b) it is a Class B vessel, as defined in § 341.33. Class B vessels shall, for purposes of these regulations, be deemed the equivalent of Class A warrant holding vessels.

- § 341.32 Vessels entitled to priority only if holding certificates of warrant. Class A vessels shall be entitled to priority only if they hold certificates of warrant issued by the Administration. Unless included in § 341.33 as a Class B yessel, a vessel in any of the following categories shall be a Class A vessel:
- (a) Vessels registered under the laws of the United States of 50 gross tons and over:
- (b) Foreign-flag vessels of 50 gross tons and over;
- (c) Vessels enrolled under the laws of the United States which are engaged in commerce between continental United States and territories or possessions (including Alaska) of the United States.
- (d) Enrolled self-propelled tankers of 1,000 gross tons and over;
- (e) Other vessels not within Class B and not otherwise provided for by these regulations.
- § 341.33 Vessels entitled to priority without holding certificates of warrant. Class B vessels, which shall be entitled to priority without holding certificates of warrant issued by the Administration, shall consist of the following:
- (a) Vessels registered under the laws of the United States of less than 50 gross tons:
- (b) Vessels owned by the United States, the War Shipping Administration, or any other agency or department of the United States Government, including Coast Guard Reserve vessels.
- (c) Vessels holding a certificate of charter to the War Shipping Administration issued under § 341.53:
- (d) Foreign-flag vessels of less than 50 gross tons:

- (e) Vessels owned by foreign Governments and used exclusively for governmental purposes other than the transportation of cargo;
- (f) Vessels enrolled under the laws of the United States (other than enrolled self-propelled tankers of 1,000 gross tons and over) not engaged in commerce between continental United States and territories or possessions (including Alaska) of the United States;

(g) Enrolled self-propelled tankers of less than 1,000 gross tons;

(h) Vessels plying exclusively the inland waters of the United States, including rivers, canals, harbors, bays, sounds, and lakes, including the Great Lakes;

(i) Vessels licensed under the laws of the United States;

(j) Tugs, towboats, salvage vessels, pilot vessels, dredges, and cableships;

(k) Vessels chartered or assigned to the United States Army, or the United States Navy as evidenced by certificate of charter or appropriate advice from the military authorities having jurisdiction over the place where the facilities are located.

SUBPART D—NON-WARRANT HOLDING VESSELS

§ 341.41 Use of facilities by a nonwarrant holding vessel. A non-warrant holding vessel shall not be entitled to use a facility without presenting a special priority authorization from the Administration.

§ 341.42 Special priority authorization. A special priority authorization may be obtained by a non-warrant holding vessel upon application to the Administration. In passing upon such applications, the Administration may consider whether, in view of the availability of fuel, repair parts and materials, etc., and of the state of business at the port, the use of the facility by the applicant would impair the ability of the facility to serve and accord priority to warrant holding vessels or would otherwise be contrary to the national interest. The Administration may consult with such other agencies of government as may be interested in the matter.

SUBPART E-CERTIFICATES OF WARRANT

§ 341.51 Form of certificate of warrant. The form of certificate of warrant shall be as follows:

> United States of America war shipping administration ¹

> > Merchant Ship Warrant

No.____

The ${\text{motor} \atop \text{steam}}$	essel		,	O
net				
port of				
respect to the-	use of f	acilities	for loadi	ng,
discharging, ligh	aterage (or storage	of cargo	28

the procurement of bunker fuel or coal, and

the towing, overhauling, drydocking or repair of merchant vessels in the United States, its Territories and Possessions, including the Philippine Islands and The Panama Canal Zone, as provided by An Act, Approved July 14, 1941, and the Regulations made thereunder.

This warrant is revocable at any time without notice.

Unless revoked it is valid until______

WAR SHIPPING ADMINISTRATION,

By

Secretary

§ 341.52 Warrants issued in name of United States Maritime Commission. Warrants issued pursuant to the regulations promulgated by the Maritime Commission on August 14, 1941, as amended, shall, until revocation, expiration, or surrender, have the same force and effect as certificates of warrant issued pursuant to these rules and regulations.

§ 341.53 Certificate of character. A vessel under charter to the War Shipping Administration shall be entitled to a certificate to such effect. The form of certificate shall be as follows:

United States of America war shipping administration Certificate of Charter

No. _____ The {motor } Vessel _____, of

_____net tonnage, documented at the port of _____, is under charter to the War Shipping Administration for the period unless the charter is sooner revoked or otherwise terminated. During the life of this charter and while this certificate remains valid, the Vessel shall be entitled to priority with respect to the use of facilities for loading, discharging, lighterage or storage of cargoes, the procurement of bunker fuel or coal, and the towing, overhauling, drydocking or repair of merchant vessels in the United States, its Territories and Possessions, including the Philippine Islands and the Panama Canal Zone, as provided by an Act, Approved July 14, 1941, and the Regulations made thereunder.

This certificate is revocable at any time without notice.

Unless revoked it is valid until_____.

WAR SHIPPING ADMINISTRATION,

WAR SHIPPING ADMINISTRATION,
By Secretary

§ 341.54 Revocation of certificate of charter. Upon termination of a charter to the War Shipping Administration, the certificate of charter issued under § 341.53 shall automatically be revoked. It shall be the duty of whoever is in possession of such certificate to return same immediately to the Administration.

SUBPART F—APPLICATION FOR CERTIFICATE OF WARRANT

§ 341.61 Issuance of certificate of warrant. Certificates of warrant (hereinafter termed "warrants") may be issued by the Administration upon application by the owner, charterer, or duly authorized managing agent, for any vessel documented under the laws of the United States, or owned by a citizen of the United States, or documented under the laws of a foreign nation and not owned by a citizen of the United States.

¹Certificates of warrant issued pursuant to these Rules and Regulations in the name of the United States Maritime Commission shall have the same force and effect as certificates of warrants issued in the name of the War Shipping Administration.

§ 341.62 Form of application and undertaking. Such application shall consist of an undertaking with Schedules A and B attached thereto in the following forms:

WAR SHIPPING ADMINISTRATION 2

UNDERTAKING FOR MERCHANT SHIP WARRANTS

The undersigned hereby applies for Merchant Ship Warrants for the vessels described in Schedules A and B attached hereto and made a part hereof. The undersigned under-

(1) To employ said vessels in the trade route set opposite the name of each vessel, and in no other, except with the consent of the War Shipping Administration, unless said Administration shall otherwise prescribe by fair and reasonable conditions imposed in the issuance or continued effectiveness of such warrants;

(2) To carry only the class or classes of cargo or passengers indicated in the attached Schedule A with respect to each of such vessels, unless said Administration shall otherwise prescribe by fair and reasonable conditions imposed in the issuance or continued effectiveness of such warrants;

(3) To charge no more than the amount set forth in the attached Schedule A as charter hire or equivalent, unless said Administration shall otherwise prescribe by fair and reasonable conditions imposed in the issuance or continued effectiveness of such

(4) To inform the Administration in writing of any commitments with respect

to any vescels under the control of the undersigned entered into with respect to voyages to be performed after the date of the filing hereof:

(5) To inform the Administration of any vessels which may come under or pass from the control of the undersigned in any manner after the date of the filing hereof;

(6) To obligate any charterer or subsharterer of any vessel under the control of the undersigned by an appropriate condition in the agreement for such charter or subcharter, to accept, for the period of such agreement, each and all of the terms of this undertaking with respect to any vessel so chartered or subchartered; and

(7) To return any warrant to the Administration by registered mail as coon as possible after receipt of notice of revecation or modification thereof by the Administration or after surrender or expiration thereof. The undersigned understands that this un-

dertaking is given to induce the issuance of the warrants requested; that any warrant issued will be in reliance upon the truth of the statements herein and in Schedules A and B contained; and that any such warrant may be modified or revoked at any time by the Administration. In filing this undertaking the undersigned is acting for and on behalf of the masters and owners or charterers of all of the vessels subject hereto.

Applicant

SCHUDULE A

(For all vessels for which warrants are requested)

To be appended to undertaking

Filed by _____, on ____, 194__.

Maximum charter Hire or equivalent: Trade Voyage Cargo Passengers Name of vessel

1 If applicant is to carry cargo under bills of lading, the actual rates under which each of the commodities is to be transported must be appended to this undertaking unless a tariff or minimum rate schedule showing such rates already is on file with the United States Maritime Commission in connection with a conference agreement or otherwise, or is on file pursuant to law with the Interstate Commerce Commission or any State Commission, in which case such tariff or minimum rate schedule may be incorporated into this Schedule A by reference as "Maximum charter hire or equivalent."

SCHEDULE B

(For each vessel for which a warrant is requested)

To be appended to undertaking

Filed by, on, 194 1. Name of owner/agent/charterers
(Strike inapplicable)
2. Name and type of vessel S. S./M. S
3. Port of registry
4. Flag
6. Gross register tonnage
7. Net register tonnage

- 8. Total deadweight tonnage_____ Draft light_____loaded_____

 Bale cubic (total cargo cubic) capacity__

 It tanker, indicate cubic capacity for dry cargo_____
- ²Undertakings submitted in a form headed United States Maritime Commission shall have the same force and effect as undertakings submitted in a form headed War Shipping Administration.

- 12. Grain cubic capacity_.
- 13. Number of hatches and size of each____
- 14. Number of decks (cargo space)_____
- 15. Height of tweendecks 16. Lifting capacity of booms
- 17. Heavy lift equipment and hatch location
- 18. Bunker capacity

 19. Type bunkers used
- 20. Daily fuel consumption at cea
- 21. Passenger accommodations: Number of rooms _____ Total capacity, each class____
- 22. Fresh water capacity: Domestic . boiler ____ daily evaporator capacity ____
- ments _____ cubic _____ Minimum temperature _____

§ 341.63 Conditions with respect to issuance of warrants. With respect to undertakings for warrants the Administration in approving any undertaking shall have the right to issue any warrant subject to such fair and reasonable conditions in modification of or in addition to any representation contained in the undertaking relating to the trade in which the vessel shall be employed, the voyages which it shall undertake, the class or classes of cargo or passengers to be carried, the maximum rate of charter hire or equivalent, and such incidental and supplementary matters as are prescribed by the Administration.

§ 341.64 Determination of Administration final. The determination under § 341.63 hereof by the Administration as to what conditions are fair and reasonable shall be final, but the acceptance of a warrant issued subject to compliance with such conditions shall not constitute a waiver of any rights of the owner, charterer, or managing agent which may arise from compliance with any such condition.

SUPPART G-MODIFICATION, REVOCATION, OR SURRENDER

§ 341.65 Revocation of warrants. The Administration reserves the right to revoke any warrant without prior notice or hearing if it is reasonably satisfied that the vessel for which such warrant is issued has violated in any substantial manner the representations contained in the undertaking filed for the issuance of such warrant, or any conditions imposed by the Administration under § 341.63.

§ 341.66 Grounds for revocation. Warrants may be revoked or modified after reasonable notice to the owner, charterer, or managing agent, if, in the opinion of the Administration, the undertaking supporting such warrant, or the conditions attached to the issuance thereof, are not at the time of such notice in accord with the purposes of the Act.

§ 341.67 Effect of amendments to rules and regulations. In the event of amendment of these rules and regulations, the Administration reserves the right to withdraw any or all warrants for modification or revocation. Upon notice of such amendment, the warrant-holder shall be bound thereby, Provided, however, That any warrant-holder who does not wish to comply with any rule or regulation as amended may surrender his warrants and be relieved of all attendant obligations.

§ 341.63 Return of warrant. Upon revocation, modification, expiration, or surrender, the warrant shall be removed from the vessel and returned immediately to the Administration.

§ 341.69 Return of warrant upon termination of control over vessels. Upon termination of a warrant-holder's control over a vessel, the warrant shall be removed from the vessel and immediately returned to the Administration, unless such warrant holder is otherwise instructed by the Administration.

SUBPART H-PROHIBITIONS AND PERIALTY

§ 341.71 Alteration or counterfeiting of warrant. No person shall in any manner alter, erase, or insert any matter in the face of any warrant or reproduce or counterfeit any warrant.

§ 341.72 False statement or representations. No person shall make any willfully false statement or representation in order to procure or retain a war-

§ 341.73 Penalty provisions of Act. Section 6 of the Act provides:

Wheever willfully violates any rule, regulation, or order issued under the authority conferred herein chall be punished by a fine of

not more than \$5,000, or by imprisonment for not more than two years or both: Provided, That the District Court of the Canal Zone and the several courts of first instance of the Commonwealth of the Philippine Islands shall have jurisdiction over offenses committed against the provisions of this Act within the Canal Zone and the Philippine Islands respectively.

SUBPART I-EFFECTIVE DATE

§ 341.74 Effective date. These rules and regulations shall become effective thirty days after approval by the President.

[SEAL]

E. S. LAND. Administrator.

Approved:

FRANKLIN D ROOSEVELT The White House, Jan. 4, 1943.

[F R. Doc. 43-309; Filed, January 6, 1943; 11:46 a. m.] -

Notices

WAR DEPARTMENT.

[Public Proclamation No. 14]

AMENDMENT OF ORDERS ESTABLISHING MILITARY AREAS 1-5

DECEMBER 23, 1942.

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, California.

To: The people within the States of Washington, Oregon, California, Arizona, Nevada, Utah, Idaho, and Montana and the Public Generally:

- I, J. L. DeWitt, Lieutenant General, United States Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War and my powers and prerogatives as Commanding General, Western Defense Command, and pursuant to a determination of continuing military necessity therefor do hereby declare and proclaim that:
- 1. Public Proclamation No. 1,1 dated March 2, 1942, and Public Proclamation No. 2,2 dated March 16, 1942, this headquarters, as amended, are hereby further amended as follows:

a. Prohibited zones "A-2 to A-1033" inclusive, are hereby abolished and all restrictions and regulations relative

thereto are rescinded.

b. Restricted zone B of Military Area No. 1 as described in said Public Proclamation No. 1,1 is hereby declared to be a prohibited zone. Military Area No. 1 is declared to be henceforth a single prohibited zone and any distinction heretofore existing between prohibited zone A-1 and restricted zone B thereof is hereby eliminated.

J. L. DEWITT, [SEAL] Lieutenant General, U.S. Army, Commanding.

Confirmed:

J. A. Ulio. Major General, The Adjutant General.

[F. R. Doc. 43-291; Filed, January 6, 1943; 10:27 a. m.]

[Public Proclamation No. 15]

CONDUCT OF ENEMY ALIENS IN MILITARY AREAS

DECETIBER 24, 1942.

Headquarters Western Defense Command and Fourth Army, Presidio of San Francisco, Càlifornia.

To: The people within the States of Washington, Oregon, California, Mon-tana, Idaho, Nevada, Utah and Arizona, and the Public Generally:

I, J. L. DeWitt, Lieutenant General, U. S. Army, by virtue of the authority vested in me by the President of the United States and by the Secretary of War, and my powers and prerogatives as Commanding General, Western Defense Command, do hereby declare and proclaim that:

Paragraphs 1, 2, 3, 4, 5 and 7 of Public Proclamation No. 3, this headquar-ters, dated March 24, 1942, and para-graphs 3 and 4 of Public Proclamation No. 6,2 this headquarters, dated June 2, 1942, are hereby rescinded.

[SEAL] J. L. DEWITT, Lieutenant General, U.S. Army. Commanding.

Confirmed:

J. A. Ulio. Major General, The Adjutant General.

[F. R. Doc. 43-292; Filed, January 6, 1943; 10:27 a. m.]

* I EPARTMENT OF THE INTERIOR.

Bituminous Coal Division. [Docket No. A-1735]

DISTRICT BOARD 9

ORDER POSTPONING HEARING

In the matter of the petition of District Board No. 9 to increase the effective minimum prices for certain mines.

A hearing in the above-entitled matter having been heretofore scheduled for January 12, 1943, at 10 o'clock in the forenoon of that date at a hearing room of the Bituminous Coal Division, Washington, D. C., and it appearing appropriate that said hearing should be postponed;

Now, therefore, it is ordered, That the hearing in the above-entitled matter be. and it hereby is, postponed from 10 o'clock in the forenoon of January 12, 1943, until 10 o'clock in the forenoon of January 26, 1943, at the place and before the officers heretofore designated.

Dated: January 5, 1943.

DAN H. WHEELER. Director.

(F. R. Doc. 43-298; Filed, January 6, 1943; 11:45 a. m.]

> [Docket No. B-47] MAURER COAL CO.

ORDER WITHDRAWING NOTICE, ETC.

In the matter of Maurer Coal Company, Registered Distributor, Registration No. 6065, respondent.

Order Withdrawing Notice of and Order for Hearing, Cancelling Hearing and Terminating Matter Without Prejudice.

The above-entitled matter having been instituted by a Notice of and Order for Hearing dated October 24, 1941, and amended by Order dated November 22, 1941, and an answer having been duly filed herein, in which it was stated that the discounts, in excess of the maximum allowable discounts referred to in said notice, were accepted by said distributor unintentionally; and

The hearing having been postponed by order of the Acting Director dated December 4, 1941, to a date and place to be thereafter designated by an appropriate order: and

It appearing to the Director from said said answer, and other information in the possession of the Division, that said Notice of and Order for Hearing should be cancelled and that the above-entitled matter should be terminated without prejudice;

Now, therefore, it is ordered, That the said Notice of and Order for Hearing dated October 24, 1941, as amended, be, and the same hereby is, withdrawn; and It is further ordered, That the hearing

heretofore scheduled in the aboveentitled matter, be, and the same hereby is cancelled; and

It is further ordered, That the aboveentitled matter be, and the same hereby is, terminated without prejudice. Dated: January 5, 1943.

[SEAL]

DAN H. WHEELER, Director.

[F. R. Doc. 43-299; Filed, January 6, 1943; 11:44 a. m.]

DEPARTMENT OF AGRICULTURE.

Agricultural Marketing Administration. GREATER BOSTON, MASS., MARKETING AREA HANDLING OF MILK; NOTICE OF REPORT, ETC.

Notice of report and opportunity to file written exceptions with respect to a proposed marketing agreement, as amended, and an amendment to Order No. 4, as amended, regulating the handling of milk in the Greater Boston, Massachusetts, marketing area.

Pursuant to § 900.12 (a), General Regulations, as Amended, Agricultural Marketing Administration, United States Department of Agriculture, notice is hereby given of the filing with the hearing clerk of this report of the Administrator of the Agricultural Marketing Administration with respect to an amended marketing agreement and to an amendment to the order regulating the handling of milk in the Greater Boston, Massachusetts, marketing area. Interested parties may file exceptions to this report with the hearing clerk, Room 1329, Department of Agriculture, Washington, D. C., not later than the close of business on the fifth day after publication of this notice in the FEDERAL REGISTER

This report is a supplement to a report filed in connection with the proceedings initiated by the Agricultural Marketing Administration and published December

¹7 F.R. 2320.

²7 F.R. 2405.

¹7 F.R. 2543.

²7 F.R. 4436.

31, 1942, in the Federal Register. The above-mentioned report which proposed an amended order containing several changes from the present terms of Order No. 4, as amended, based on evidence received at a public hearing held September 24, 25, 28, and 29, also indicated that action on several points had been deferred until a complete analysis of the evidence concerning such points had been made. This report proposes a change concerning one of the points deferred in the previous report. It is now concluded that the Class I price should be increased 23 cents per hundredweight. Recommendations concerning the other two points remain deferred.

The following proposed amendment prepared by the Administrator pursuant to § 900.12 (a) of the General Regulations, as Amended, Agricultural Marketing Administration, is recommended as the detailed means by which this conclusion may be carried out. The proposed amended marketing agreement is not included in this report because the provisions thereof will be the same as the provisions of the proposed amendment to the order.

PROPOSED AMENDMENT TO THE ORDER, AS AMENDED, REGULATING THE HANDLING OF MILK IN THE GREATER BOSTON, MASSACHUSETTS, MARKETING AREA

It is found upon the evidence introduced at the hearing held at Burlington, Vermont, September 24 and 25, and at Boston, Massachusetts, September 28 and 29, 1942:

Findings

- 1. That prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8 (e) of said act, 50 Stat. 246; 7 U.S.C. 602, 608e, are not reasonable in view of the available supplies of feeds, the price of feeds, and other economic conditions which affect the supply of and demand for such milk, and that the minimum prices set forth in this amendment to said order are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and that the fixing of such prices does not have for its purpose the maintenance of prices to producers above the levels which are declared in the act to be the policy of Congress to establish;
- 2. That the order regulates the handling of milk in the same manner as a marketing agreement upon which a hearing has been held; and
- 3. That the issuance of this amendment to the order, as amended, and all of its terms and conditions, tends to effectuate the declared policy of the act.

Provisions

In the table in § 904.4 (a) (1) delete the second price bracket which reads as follows:

40 or over______\$3.86

and substitute therefor the following:

40 or over, but under 45______\$3.87

45 or over_______\$4.10

This report filed at Washington, D. C. the 5th day of January 1943.

[SEAL] C. W. KITCHEN,
Acting Administrator.

[F. R. Doc. 43-293; Flied, January 6, 1943; 11:07 a. m.]

DEPARTMENT OF LABOR.

Children's Bureau.

PROPOSED AMENDMENT OF HAZARDOUS-OCCUPATIONS ORDER

Whereas, the Chief of the Children's Bureau, United States Department of Labor, issued Hazardous-Occupations Order No. 1 (4 F.R. 2079, May 20, 1939), effective July 1, 1939, declaring that all occupations in or about plants manufacturing explosives or articles containing explosives components are particularly hazardous for the employment of minors between 16 and 18 years of age,

Whereas, a supplementary investigation has been made which reveals that certain occupations involved in the manufacture of small-arms ammunition not exceeding .50 caliber in size, shotgun or loaded paper shot shells, and blasting caps when manufactured in conjunction with small-arms ammunition are not particularly hazardous for the employment of minors between 16 and 18 years of age, and

Whereas, the Chief of the Children's Bureau proposes to issue an order amending Hazardous-Occupations Order

Now, therefore, notice is hereby given that any interested person may, within twenty days from the date of publication of this proposed order in the Federal Register, file with the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C., written objections thereto, together with a memorandum or brief in support of such objections. Any interested person may secure a copy of the report of the Children's Bureau entitled "Occupational Hazards to Young Workers: The Manufacture of Small-Arms Ammunition" upon request made to the Chief of the Children's Bureau, United States Department of Labor, Washington, D. C.

It is ordered, That § 422.1 of Part 422 of Chapter IV, Title 29, Code of Federal Regulations, is hereby amended so as to read as follows:

§ 422.1 Occupations in or about plants manufacturing explosives or articles containing explosive components—(a) Finding and declaration of fact. The following occupations in or about plants manufacturing explosives or articles containing explosive components are particularly hazardous for minors between 16 and 13 years of age:

(1) All occupations in or about any plant manufacturing explosives or articles containing explosive components except plants manufacturing small-arms ammunition not exceeding .50 caliber in size, shotgun or loaded paper shot shells, or blasting caps when manufactured in conjunction with small-arms ammunited.

(2) The following occupations in or about any plant manufacturing small-arms ammunition not exceeding .50 caliber in size, shotgun or loaded paper shot shells, or blasting caps when manufactured in conjunction with small-arms ammunition:

(a) All occupations involved in the manufacturing, mixing, transporting, or handling of explosive compounds and all other occupations requiring the performance of any duties in the explosives area in which explosive compounds are manufactured or mixed.

(b) All occupations involved in the manufacturing, transporting, or handling of primers and all other occupations requiring the performance of any duties in the same building in which primers are manufactured.

(c) All occupations involved in the priming of cartridges and all other occupations requiring the performance of any duties in the same workroom in which rim-fire cartridges are primed.

(d) All occupations involved in the plate loading of cartridges and in the operation of automatic loading machines.

(e) All occupations involved in the loading, inspecting, packing, and shipping of blasting caps.

(b) This order shall not justify noncompliance with any Federal or State law or municipal ordinance establishing a higher standard than the standard established herein.

(c) This amendment shall become effective upon publication in the FEDERAL REGISTER.

[SEAL] KATHARING F. LENGOOT,

[F. R. Doc. 43-305; Filed, January 6, 1943; 11:55 a.m.]

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the Regulations issued thereunder (August 16, 1340, 5 FR. 2662, and as amended June 25, 1942, 7 FR. 4723), and the Datermination and Order or Regulation listed below and published in the Federal Register as here stated.

Apparel Learner Regulations, September 7, 1949 (5 F.R. 3591).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Reinwear, Robes, and Mather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 29, 1842 (7 F.R. 4724).

Artificial Flowers and Frathers Learner Regulations, Oxfober 24, 1940 (5 F.R. 4203). Glove Findings and Determination of February 20, 1940, as emended by Administrative Order of September 20, 1949 (5 F.R. 3763). Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940

(5 F.R. 3392, 3393). Textile Learner Regulations, May 16, 1941 (6 F.R. 2446).

(6 F.R. 2446).
Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these Certificates is limited to the terms and conditions as to the occupations, learning periods, minimum wage rates, et cetera, specified in the Determination and Order or Regulation for the industry designated above and indicated opposite the employer's name. These Certificates become effective January 7, 1943. The Certificates may be cancelled in the manner provided in the Regulations and as indicated in the Certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PROD-UCT, NUMBER OF LEARNERS AND EXPIRATION DATE

Apparel Industry

Liberty Garment Manufacturing Company, 400 1st Ave. N., Minneapolis, Minn.; Overcoats; 3 learners (T); January 7, 1944.

Michaels, Stern & Co., Inc., Liberty Street, Penn Yan, New York; Men's and boys' clothing; 5 percent (T); January 7, 1944.

National Pad & Binding Company, 1932 Arch Street, Philadelphia, Pennsylvania; Bias binding, trouser curtain sleeve & shoulder pads and canvas fronts; 5 learners (T); January 7, 1944.

Oak Brand Manufacturing Company, 1014 Farnam Street, Omaha, Nebraska; Men's and boys' sportswear; 5 percent (T); January 7, 1944.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes, and Leather and Sheep-Lined Garments Divisions of the Apparel Industry

Anthracite Overall Mfg. Co., 430 Penn Avenue, Scranton, Pennsylvania; Trousers and breeches, overalls and coveralls, jackets and mackinaws; 10 percent (T);

January 7, 1944.

Blossom Products Corporation, 801
Meadow Street, Allentown, Pennsylvania; Ladies' and children's underwear, men's and boys' underwear; 10 percent (T); January 7, 1944.

Cohn-Goldwater Manufacturing, 525 East 12th Street, Los Angeles, California; Men's dress, sport and work shirts, Men's dress slacks and sport coats, Ladies' tailored shirts; 10 percent (T); January 7, 1944.

Cohn-Goldwater Manufacturing Co., 623 Azuza St., Azuza, California; Ladies' tailored blouses and service garments; 20 learners (E); May 7, 1943.

Consolidated Garment Mfg. Co., 225 N. Market St., Galion, Ohio; Blouses, gowns,

slips and slacks; 10 learners (T); January 7, 1944.

Forest City Dress Company, 354 Main Street, Forest City, Pennsylvania; Children's dresses; 10 learners (T); January 7, 1944.

Frances Gee Garment Company, Richmond, Missouri; Uniforms and dresses; 25 learners (E); May 7, 1943.

Albert Given Manufacturing Company, 1301 W. Chicago Ave., E. Chicago, Ind.; Men's trousers; 10 percent (T); January 7 1944

Grantham Manufacturing Company, Grantham, Pennsylvania; Ladies' and juniors' wash dresses; 8 learners (T); January 7, 1944.

Her Majesty Underwear Company, Leola, Pennsylvania; Women's and children's slips, U. S. Navy Priority AA1; 10 learners (T); January 7, 1944.

I. B. S. Manufacturing Company, Sec. & Clark Sts., New Albany, Miss.; Work shirts, Army shirts; 10 percent (T); January 7, 1944.

Lafayette Pants Company, 401 Lafayette Blvd., Fredericksburg, Virginia; Men's trousers; 10 percent (T); January 7, 1944.

H. D. Lee Mercantile Co., 200 North Third St., Minneapolis, Minnesota; Overalls and work clothing; 10 percent (T); January 7, 1944.

S. Liebowitz & Sons, Inc., Mont Alto, Pennsylvania; Men's sport shirts; 10 learners (T); January 7, 1944.

Joseph Love, Inc., 151 Ludlow St., Yonkers, New York; Infants' and Children's Dresses; 10 percent (T); January 7, 1944.

A. F. Martin Manufacturing Company, Tipton, Missouri; Work pants, Army trousers; 10 percent (T); January 7,

Melby Jean Garment Company, 102 West Main St., Bowling Green, Missouri; Ladies' undergarments, slips, gowns and pajamas; 10 percent (T); April 27, 1943. (This replaces the certificate bearing the expiration date April 27, 1943.)

Miller Manufacturing Company, Inc., 928 Virginia Ave., Joplin, Missouri; Workshirts; 10 percent (T); January 7, 1944.

National Pants Company, First Avenue, Beaver Falls, Pennsylvania; Work pants; 10 percent (T); January 7, 1944.

National Pants Company, Butler Ave. Ext., New Castle, Pennsylvania; Work pants; 10 percent (T); January 7, 1944.

New England Overall Company, Inc., 560 Harrison Ave., Boston, Massachusetts; Overalls and work pants; 5 percent (T); January 7, 1944.

Portland Sportwear Mfg. Co., 3432 S. E. Belmont St., Portland, Oregon; Men's work clothing; 5 learners (T); January 7, 1944.

Queen City Dress Manufacturing Co., 3rd & Chew Sts., Allentown, Pennsylvania; Ladies' and children's dresses; 10 percent (T); January 7, 1944.

Reade Manufacturing Company, Malden, Missouri; Men's shirts; 100 learners (E); July 7, 1943.

Reliance Manufacturing Company, So. Magnolia St., Laurel, Mississippi; Navy shirts, work shirts and pants; 10 percent (T); January 7, 1944.

Royal Undergarment Co., Inc., 75 No. Mohawk St., Cohoes, New York; Women's slips and night gowns; 10 percent (T); January 7, 1944.

Glove Industry

Wm. E. Seal & Company, North Street, Millersburg, Pennsylvania; Work cloves; 3 learners (T); January 7, 1944.

Sutton's, 30 S. Melcher St., Johnstown, New York; Leather dress gloves; 5 learners (T); January 7, 1944.

Hosiery Industry

Best Made Silk Hosiery Company, Fifth Street, Quakertown, Pennsylvania; Full-fashioned hosiery; 5 percent (T); January 7, 1944.

Bowman Knitting Mills, East Street, Hickory, North Carolina; Seamless hosiery; 5 learners (T); January 7, 1944.

Salem Full Fashioned Hosiery Mills, Inc., Maple Street, Salem, Virginia; Full fashioned hosiery; 5 percent (T); January 7, 1944.

Knitted Wear Industry

Bestok Underwear Company, Tower City, Pennsylvania; Cotton Knit Underwear; 5 percent (T); January 7, 1944.

Textile Industry

Carolina Mills, Inc., Plant #2, Newton, North Carolina; Carded Cotton yarns; 3 percent (T); January 7, 1944.

Cigar Industry

Consolidated Cigar Company, Ninth and Liberty Streets, Camden, New Jersey; Cigars; 10 percent (T); Cigar machine operators and cigar packers to have a learning period of 320 hours and tobacco stripping machine operators to have a learning period of 160 hours at 75% of applicable minimum wage; July 6, 1943.

Consolidated Cigar Corporation, 757 Cortlandt St., Perth Amboy, New Jersey; Cigars; 10 percent (T); Cigar machine operators and cigar packers to have a learning period of 320 hours and tobacco stripping machine operators to have a learning period of 160 hours at 75% of applicable minimum wage, July 6, 1943.

Consolidated Cigar Corporation, 5-15 North Cherry Street, Poughkeepsle, New York; Cigars; 10 percent (T); Cigar machine operators and cigar packers to have a learning period of 320 hours and tobacco stripping machine operators a learning period of 160 hours at 75% of applicable minimum wage; July 6, 1943.

Consolidated Cigar Corporation, Second & Chestnut Sts., Coplay, Penn.; Clgars; 10 percent (T); Cigar machine operators and cigar packers to have a learning period of 320 hours and tobacco stripping machine operators a learning period of 160 hours at 75% of applicable minimum wage. July 6, 1043

minimum wage, July 6, 1943.
Consolidated Cigar Corporation, 840
North Prince St., Lancaster, Penn.; Cigars; 10 percent (T); Cigar machine operators and cigar packers to have a learning period of 320 hours and tobacco stripping machine operators a learning period of 160 hours at 75% of applicable minimum wage; July 6, 1943.

Consolidated Cigar Corporation, North Prince & Ross Streets, Lancaster, Penn.; Cigars; 10 percent (T); Stripping machine operators to have a learning period of 160 hours at 75% of applicable minimum wage; July 6, 1943.

Consolidated Cigar Corporation, Randolph & Jefferson Streets, Philadelphia, Penn.; Cigars; 10 percent (T); Cigar machine operators and cigar packers to have a learning period of 320 hours and tobacco stripping machine operators to have a learning period of 160 hours at 75% of applicable minimum wage; July 6, 1943.

Signed at New York, N. Y., this 5th day of January 1943.

Merle D. Vincent, Authorized Representative of the Administrator.

[F. R. Doc. 43-290; Filed, January 6, 1943; 10:18 a. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of Special Certificates for the employment of learners under the Fair Labor Standards Act of

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and § 522.5 (b) of the Regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective January 7, 1943.

The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name. These Certificates are issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The Certificates may be cancelled in the manner provided for in the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of these Certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Michael Shack, 101 Monroe Street, Garfield, New Jersey; Embroidery; 2 learners (T); Spanner-helper for a learning period of six (6) weeks at 30 cents per hour until June 7, 1943.

Signed at New York, N. Y., this 5th day of January, 1943.

Merle D. Vincent, Authorized Representative of the Administrator.

[F. R. Doc. 43-289; Filed, January 6, 1943; 10:18 a. m.]

No. 4----5

FEDERAL COMMUNICATIONS COMMISSION.

[Decket No. 5980]

WORCESTER TELEGRAM PUBLISHING CO. INC.

NOTICE OF HEARING

In re application of Worcester Telegram Publishing Company, Incorporated (New), dated August 19, 1940; for construction permit; class of service, high frequency broadcast; class of station, high frequency broadcast; location, Worcester, Massachusetts; operating assignment specified: Frequency, 46,100 ks.; 10,000 sq. mi.; power, —; hours of operation, —.

You are hereby notified that the Commission on December 8, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether in view of the facts adduced under the foregoing issue, public interest, convenience or necessity would be served by a grant of the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1,102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Worcester Telegram Publishing Co., Inc., c/o E. E. Hill, Station Director, 18 Franklin Street, Worcester, Massachusetts.

Dated at Washington, D. C., January 2, 1943.

By the Commission.

[SEAL] T. J. SLOWIE,
Scoretarn.

[F. R. Doc. 43-286; Flied, January 6, 1943; 9:42 a. m.]

[Decket No. 6471]

OREGONIAN PUBLISHING CO. (KEX)

NOTICE OF HEARING

In re application of Oregonian Publishing Company (KEX); dated Septem-

ber 19, 1939; for construction permit; class of service, broadcast; class of station, broadcast; location, Portland, Oregon; operating assignment specified: Frequency, 1190 kc., power, 50 kw (DAday and night), hours of operation, unlimited.

You are hereby notified that the Commission on November 24, 1942, denied the patition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

2. To determine whether, in view of the facts adduced under the foregoing issue, public interest, convenience or necessity would be served by a grant of the instant application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: The Oregonian Publishing Company, Radio Station KEX, Oregonian Building, 615 Alder Street, Portland, Oregon.

Dated at Washington, D. C., January 2, 1943.

By the Commission.

[SEAL] T. J. SLOWIE, Secretary.

[F. R. Dor. 43-235; Filed, January 6, 1943; 9:42 a. m.]

[Docket No. 6474] Head of the Lakes Broadcasting Co.

MOTICE OF HEARING

In re application of Head of the Lakes Broadcasting Company, (New); for construction permit; dated, December 3, 1940; class of service, high frequency broadcast; class of station, high frequency broadcast; location, Superior, Wicconsin; operating assignment specified: Frequency, 44,500 kcs.; coverage, 2,754 sq. mi.; power, ——; hours of operation, ——;

You are hereby notified that the Commission on December 1, 1942, denied the petition of the applicant filed pursuant

to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the facts adduced under the foregoing issue, public interest, convenience or necessity would be served by granting

this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by

means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.101 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Head of the Lakes Broadcasting Company, % Mr. W. C. Bridges, WEEC Building, 4th Ave. West and Superior Street, Duluth, Minnesota.

Dated at Washington, D. C., January

2, 1943.

By the Commission.

[SEAL]

T. J. SLOWIE, Secretary.

[F. R. Doc. 43-284; Filed, January 6, 1943; 9:42 a. m.l

FEDERAL POWER COMMISSION.

[Docket No. G-435]

HOPE NATURAL GAS COMPANY NOTICE OF APPLICATION

JANUARY 6, 1943.

On December 16, 1942, the Hope Natural Gas Company applied to the Federal Power Commission for a certificate of public convenience and necessity under section 7 of the Natural Gas Act.

The Hope Company seeks authorization to construct and operate a 10-mile natural gas pipe line extending from its Bridgeport Compressor Station to a point on its existing 16-inch pipe line in Harrison County, West Virginia. The application states that the purpose of the proposed pipe line is to increase the total gas available to the Hope system from the Bridgeport storage area by increasing the present deliverability of its pipe line system.

It is asserted in the application that the proposed pipe line is to meet the demands of Hope's customers in the States of West Virginia, Ohio, and Pennsylvania, and that neither new or additional service nor service to any new markets is contemplated. The estimated cost of the proposed pipe line is \$180,500.

The application states that the increased demands for gas on the Hope system are related to the war effort and that Hope has received a high preference rating for the proposed project from the War Production Board.

Any protests to the granting of this application should be filed with the Federal Power Commission, Washington, D. C., on or before January 16, 1943.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 43-310; Filed, January 6, 1943; 12:05 p. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 4883]

BOOTH FISHERIES CORPORATION

COMPLAINT AND NOTICE OF HEARING

The Federal Trade Commission, having reason to believe that the party respondent named in the caption hereof, and hereinafter more particularly designated and described, since June 19, 1936, has violated and is now violating the provisions of subsection (a) of section 2 of the Clayton Act (U.S.C. Title 15, Sec. 13), as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint against the said respondent, stating its charges as follows:

PARAGRAPH ONE: Respondent Booth Fisheries Corporation is a corporation organized and existing by virtue of the laws of the State of Delaware, with its principal office and place of business located at 309 West Jackson Boulevard,

Chicago, Illinois.

PAR. Two: Respondent is engaged in the sale and distribution of a variety of fish products including fresh, frozen, salt, smoked, ocean, lake and river fish, oysters and sea food. Respondent maintains packing plants in various sections of the United States where the different kinds of fish are available including salt water fish plants located at Boston, Massachusetts and Portland, Oregon. Respondent maintains more than fifteen distributing orsales branches throughout the United States and Canada. Respondent sells its fish products through its various distributing branches to wholesalers, jobbers, chain That. stores and independent retailers. while respondent sells many varieties of fish and sea food, the major volume of respondent's business is the sale of frozen fish products and the market prices of frozen fish products are relatively stable in comparison with fresh fish market prices. Said fish products are sold and distributed by respondent for use, consumption and resale within the various states of the United States, and in the same states and places as and in competition with various other sellers of fish products.

PAR. THREE: In the course and conduct of its said business, respondent sells and distributes its fish products, in commerce, to purchasers thereof located in the various states of the United States, and causes said fish products to be shipped and transported across state lines from its various packing plants to

the purchasers thereof who are located in the various states of the United States other than the states of origin of shipments. There is, and has been, at all times mentioned herein, a constant current of trade and commerce in said products, between respondent's plants of origin of said products and its customers located in the various other states of the United States.

PAR. FOUR: In the course and conduct of its business as hereinabove described, since June 19, 1936, respondent has been and is now discriminating in price between different purchasers of its fish products of like grade and quality by selling such products to some of its customers at lower prices than it sells to others of its customers, many of whom are competitively engaged, one with another, in the resale of such products

within the United States.

Specifically, among such discriminations, the respondent has sold, through its Sioux Falls, Iowa branch, its frozen fish products to the Dakota Distributing Company which operates twenty-eight retail outlets known as K&K Stores, to Tolliver & Warfield Company, which operates 105 retail outlets known as Council Bluff Stores and to other of its special volume customers at a price per pound substantially lower than it has granted and allowed to other purchasers of such products, of like grade and quality, some of such other purchasers being engaged competitively with said favored customers in the resale of such products.

Illustrations of the foregoing discriminations in price are as follows:

(1) That respondent during the months of July and August, 1938, sold to one Frederick Donaldson Corporation, an independent retailer, located at 300 East Third Street, Yankton, South Dakota, frozen bulk haddock at 18¢ per pound, frozen halibut at 18d per pound, and frozen black cod at 15¢ per pound, and during the same period sold such frozen fish of like grade and quality to the Dakota Distributing Company operating a K&K store in Yankton, South Dakota, and in the same trading area at lower prices, which lower prices permitted the latter store to advertise and sell said frozen fish purchased of respondent at less than the cost of said frozen fish of like grade and quality purchased of respondent by said Frederick Donaldson corporation;

(2) The respondent, during the month of December, 1937 sold to one Peder Larsen, an independent retailer of Centerville, South Dakota, frozen black cod at 15¢ per pound and during the same period sold frozen black cod of like grade and quality to Tolliver & Warfield Company operating a Council Bluff store in Centerville, South Dakota, and in the same trading area at a lower price, which lower price permitted the latter store to resell said frozen fish purchased of respondent at 14¢ per pound, or at less than the cost price of frozen black cod of like grade and quality purchased of respondent by said Peder Larsen;

(3) That respondent, during the month of June, 1938, sold to the Piggly Wiggly Store at Sloux Falls, South Dakota, one ten-pound box of frozen perch at 12¢ per pound, being one of two items sold to said Figgly Wiggly Store by respondent during the entire month, and on August 1, 1938, respondent sold to Jessie S. Lewis, an independent grocer whose store is located in Sioux Falls, South Dakota, directly across the street from said Piggly Wiggly Store, one ten pound hox of frozen perch of like grade and quality at 16¢ per pound;

(4) That respondent, during the years 1938 and 1939 sold to Retail Grocery Company, an independent retailer located at 201 North Main Street, Sioux Falls, South Dakota, frozen bulk haddock at 18¢ per pound and during the same period sold such frozen bulk haddock of like grade and quality to Economy Center Markets, Inc., a special volume retailer operating a retail store in Sioux Falls, South Dakota, in the same trading area, at 121/4¢ per pound, which lower price permitted the latter store to advertise and sell said frozen bulk haddock purchased of respondent at less than the cost of said frozen fish of like grade and quality purchased of respondent by said Retail Grocery Company;

Respondent has no consistent price structure or policy and discriminations of a similar character to those above described have frequently occurred since June 19, 1936, in connection with respondent's sales to many other of respondent's customers.

Par. Five: The effect of the aforesaid discriminations in price among respondent's customers may be, has been, and is substantially to lessen competition and tend to create a monopoly in said line of commerce and to injure, destroy and prevent competition between respondent and its competitors and among the customers of respondent.

PAR. SIX: The foregoing alleged acts and practices of said respondent, as set forth herein, constitute violations of the provisions of Section 2 (a) of the Clayton Act as amended by the Robinson-Patman Act approved June 19, 1936 (U.S.C. Title 15, Sec. 13).

Wherefore, the premises considered, the Federal Trade Commission on this 31st day of December, A. D. 1942, issues its complaint against said respondent.

Notice is hereby given you, Booth Fisheries Corporation, a corporation, respondent herein, that the 5th day of February, A. D. 1943, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said Act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The Rules of Practice adopted by the Com-

mission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of dealre to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concine statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time above provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact cet forth in the complaint and not to contest the facts, the answer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening precedure, to find such facts to be true.

find such facts to be true.

Contemporaneously with the filling of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed colely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 31st day of December, A. D. 1942.

By the Commission.

[SEAL]

Ons B. Johnson, Secretary.

[F. R. Doc. 43-307; Filed, January 6, 1943; 11:58 a. m.]

[Docket No. 4835]

GLOVER & WILSON

ORDER APPOINTING TRIAL EXAMINER AND FIX-ING TIME AND PLACE FOR TAKING TESTI-MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 5th day of January, A. D. 1943.

In the matter of Roy Glover and Ray Wilson, trading as Glover & Wilson.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under Acts of Congress (38 Stat. 717; 15 U.S.C.A., section 41), and (49 Stat. 1526, U.S.C.A., section 13, as amended),

It is ordered, That John L. Hornor, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Monday, January 18, 1943, at ten o'clock in the forencon of that day (Central Standard Time), in Room 531, Post Office Building, Little Rock, Arkansas.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immeditely to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

Otis B. Johnson, Secretary.

[F. R. Dre. 43-303; Filed, January 6, 1943; 11:53 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Order 2 Under MPR 118]

Wamsutta Mills and Alabama Mills, Inc.

ORDER AUTHORIZING LIANILIULI PRICES

Order No. 2 under § 1400.101 (b) (5) of Maximum Price Regulation No. 118—Cotton Products.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, It is ordered:

(a) The maximum prices for the following types and styles of cotton products shall be:

Producer	Style No.	Decisiption	Cents res yard
Wamsutta Mills	217 217	6" (0 x (0 1.87 tob); club fabric. 6" (0 x 6) 1.13 table club fabric. 6" (0 x 6) 131 table club fabric.	40.80 40.05 03.03
Alabama Mills Inc	L-10-0 1-0 1	EST 60 x C3 1.18 to bl. cl. db Cabris. C3" to x C3 Calls by calls to cl. bl. C3 to x C3 Calls by calls to cl. bl. C4" E3 x T3 2 C3 regular fauth biology chips C3" E3 x T4 1.89 conformed biology chips	75.00 13.45 25.625 25.50 25.50 26.50

- (b) The maximum prices set forth in paragraph (a) are subject to the following terms of sale:
- (1) Wamsutta Mills, Net 10 days, f. o. b. mill.
- (2) Alabama Mills, 2 per cent 10 days, 60 days extra, with anticipation at the rate of 60 per cent per annum where payment is made after 9 days, f. o. b. mill.
- (c) The maximum prices set forth in paragraph (a) are for fabrics made in accordance with the construction details on file with the Office of Price Administration for the respective style numbers.
- (d) The maximum prices set forth in paragraph (a) may be used by the producer as base prices from which to de-

termine "in line" maximum prices for related types, styles and constructions of cotton products which otherwise cannot be priced under § 1400.101 or § 1400.118 (e) of Maximum Price Regulation No. 118. If any such determinations are required, the producer shall submit a report as required by § 1400.101 (c) of Maximum Price Regulation No. 118.

(e) This Order No. 2 may be revoked or amended by the Price Administrator at

any time.

(f) This Order No. 2 shall become effective January 11, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 5th day of January 1943.

Leon Henderson,

Administrator.

[F. R. Doc. 43-254; Filed, January 5, 1943; 2:52 p. m.]

[Order 131 Under MPR 120]

STREATOR COAL COMPANY AND FRENCH COAL, COMPANY

ORDER GRANTING ADJUSTMENT

Order No. 131 under Maximum Price Regulation No. 120—Bituminous Coal Delivered from Mine or Preparation Plant—Docket No. 3120–273.

For the reasons set forth in an Opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with § 1340.207 (d) of Maximum Price Regulation No. 120, It is ordered:

(a) Coal in Size Groups 6 and 7 produced by Streator-Coal Company, 1318 North Park St., Streator, Illinois, at Mine Index No. 1453, District No. 10, may be sold and purchased for shipment by truck or wagon at prices per net ton, f. o. b. the mine not to exceed, \$3.75 and

\$3.35, respectively;

(b) Coal in Size Groups 7, 10 and 12 produced by the French Coal Company, 512 Murray Building, Streator, Illinois, at Mine Index No. 535, may be sold and purchased for shipment by truck or wagon at prices per net ton f. o. b. the mine not to exceed \$3.50, \$3.25 and \$3.25, respectively;

- (c) Within thirty (30) days from the effective date of this order the said Streator Coal Company and French Coal Company shall notify all persons purchasing their respective coal of the adjustments granted by paragraphs (a) and (b) respectively of this order and shall include a statement that if the purchaser is subject to Maximum Price Regulation No. 122 in the resale of coal, the adjustments granted in this order do not authorize any increase in the purchaser's resale price, except in accordance with and subject to the conditions stated in Maximum Price Regulation No. 122;
- (d) This Order No. 131 may be revoked or amended by the Price Administrator at any time;
- (e) Unless the context otherwise requires, the definitions set forth in Signature Price Regulation application and an opinion in support of

No. 120 shall apply to the terms used herein;

(f) This Order No. 131 shall become effective January 5, 1943.

Issued this 5th day of January 1943.

LEON HENDERSON,

Administrator.

[F. R. Doc. 43-258; Filed, January 5, 1943; 2:52 p. m.]

[Order 29 Under MPR 148] CUDAHY PACKING CO.

ORDER DENYING APPLICATIONS FOR ADJUSTMENT

Order No. 29 under Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts—Docket Nos. 3148—

92, 3148-98.

On or before September 12, 1942, Cudahy Packing Company, Chicago, Illinois, filed two applications for adjustment of the maximum prices established under Maximum Price Regulation No. 148 in accordance with the provisions therefor contained in Procedural Regulation No.

6. Due consideration has been given to these applications and an opinion in support of this Order No. 29 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and by Executive Order No. 9250 and in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration, It is ordered:

(a) These applications should be and hereby are denied.

(b) Any contract entered into by Cudahy Packing Company at the prices requested in these applications shall be revised in accordance with the terms of this order, and payment made to the Cudahy Packing Company in excess of the maximum prices authorized by this order shall be refunded to the purchaser.

(c) This Order No. 29 shall become

effective January 6, 1943.

Issued this 5th day of January 1943.

Leon Henderson,
Administrator.

[F. R. Doc. 43-257; Filed, January 5, 1943; 2:47 p. m.]

[Order 30 Under MPR 148]

CUDAHY PACKING CO.

ORDER DENYING APPLICATIONS FOR ADJUSTMENT

Order No. 30 under Maximum Price Regulation No. 148—Dressed Hogs and Wholesale Pork Cuts—Docket No. 3148— 76

On August 25, 1942, Cudahy Packing Company, Chicago, Illinois, filed an application for adjustment of the maximum prices established by Maximum Price Regulation No. 148 for certain commodities which it sells or proposes to sell pursuant to a Government contract. Due consideration has been given to the application and an opinion in support of

this Order No. 30 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and Executive Order No. 9250 and in accordance with Procedural Regulation No. 6 issued by the Office of Price Administration, It is hereby ordered:

(a) The application for adjustment of the maximum prices established for canned pork sausage is denied.

(b) This Order No. 30 shall become effective January 6, 1943.

Issued this 5th day of January 1943.
LEON HENDERSON,

on Henderson, Administrator.

[F. R. Doc. 43-259; Filed, January 5, 1943; 2:48 p. m.]

[Order 7 Under MPR 152]

COMSTOCK CANNING CO.

APPROVAL OF MAXIMUM PRICE

Order No. 7 under Maximum Price Regulation No. 152—Canned Vegetables.

Approval of maximum price for Comstock Canning Company, Newark, N. Y. On November 6, 1942 the Comstock

On November 6, 1942 the Comstock Canning Company filed a petition pursuant to Procedural Regulation No. 6, issued by the Office of Price Adminisistration, for specific authorization to adjust a maximum price established under Maximum Price Regulation No. 152 for sales to the armed forces of the United States.

Due consideration has been given to the information submitted by applicant with respect to the packing in No. 10 cans of fancy diced carrots, of the 1942 pack, and No. 10 cans of fancy shoestring carrots which applicant proposes to sell to the War Department Quartermaster Depots of the United States Army.

For the reasons set forth in the opinion which accompanies this order and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, It is hereby ordered. That:

(a) The Comstock Canning Company may sell, offer to sell or deliver to the Quartermaster Depots of the United States Army, and the Quartermaster Depots of the United States Army, may buy, offer to buy or receive No. 10 cans fancy diced carrots and No. 10 cans fancy shoestring carrots at a price no higher than the maximum price of \$3.75 per dozen, f. o. b. factory.

· (b) This Order No. 7 may be revoked or amended by the Price Administrator

at any time.

(c) Unless the context otherwise requires, the definitions set forth in § 1341.30 of Maximum Price Regulation No. 152 and section 303 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(d) This Order No. 7 shall become effective on January 6, 1943. Issued this 5th day of January 1943.

LEON HENDERSON. Administrator.

[F. R. Doc. 43-256; Filed, January 5, 1943; 2:48 p. m.]

[Order 7 Under RPS 89]

UTICA & MOHAWK COTTON MILLS, INC.

ORDER GRANTING ADJUSTMENT

Order No. 7 under Revised Price Schedule No. 89-Bed Linens-Docket No. 3089-17.

On July 18, 1942, Utica & Mohawk Cotton Mills, Inc., 801 State Street, Utica, New York, filed a petition for adjustment pursuant to § 1316.61 (d) (5) of Revised Price Schedule No. 89. Due consideration has been given to the petition, and an opinion in support of this Order No. 7 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, and in accordance with Revised Procedural Regulation No. 1, It is hereby ordered:

(a) The base price for sales of Type 128 "Mohawk" sheets, size 81" x 99" by Utica & Mohawk Cotton Mills, Inc., shall be 17 cents per dozen higher than that set forth in Table II of § 1316.111 (c) of Revised Price Schedule No. 89—Bed Linens, and for any other sizes of Type 128 "Mohawk" sheets the base price per dozen shall be increased or decreased in proportion to the relative number of

square yards of material required.

(b) The base price for sales of Type 128 "Mohawk" pillow cases, size 45" x 36" shall be 8 cents per dozen higher than that set forth in Table II of § 1316.111 (c) of Revised Price Schedule No. 89-Bed Linens, and for any other size of Type 128 "Mohawk" pillow cases or bolster cases, the base price per dozen shall be increased or decreased in proportion to the relative number of square yards of material required.

(c) The discounts and the terms of sale specified in Revised Price Schedule No. 89 shall be applicable to the base

maximum prices.

(d) Utica & Mohawk Cotton Mills, Inc., shall cause the following notice to be sent, in writing, to all persons to whom it sells Type 128 "Mohawk" sheets, pillow cases or bolster cases:

The Office of Price Administration has granted us permission to charge a premium on our sales of Type 128 "Mohawk" sheets, pillow cases and bolster cases. The premium was granted with the understanding that wholesale and retail prices would not be raised. The Office of Price Administration has not permitted you or any other seller to raise maximum prices for sales of "Mohawk" bed linens.

(e) All prayers of the petition not granted herein are denied.

(f) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(g) This Order No. 7 shall become effective January 6, 1943. Issued this 5th day of January 1943. LEON HENDERSON. Administrator.

[F. R. Doc. 43-255; Filed, January 5, 1943; 2:47 p. m.]

[Order 5 Under RPS 81]

GOAT METAL STAMPHICS, INCORPORATED

APPROVAL OF MAXIMUM PRICES

Correction

The first three items of the table in paragraph (a) of the document appearing on page 11038 of the issue for Tuesday, December 29, 1942, should read: \$8.49/M plus_ G-179D__ Plate (R. S. Pl. III.)

\$4.55/M____ G-453AB_ Cut Nickel (R. S. Pl. III.)

SECURITIES AND EXCHANGE COM-MISSION.

[File No. 54-32]

NORTH SHORE GAS COMPANY ET AL.

ORDER WITH RESPECT TO PAYMENT OF PELS AND EXPENSES

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 30th day of December, 1942.

In the matter of North Shore Gas Company, North Shore Coke & Chemical Company and North Continent Utilities

Corporation.

North Continent Utilities Corporation, a registered holding company, and North Shore Gas Company and North Shore Coke & Chemical Company, subsidiaries of North Continent Utilities Corporation, having filed applications and declarations under section 11 (e) and other ap-plicable sections of the Public Utility Holding Company Act of 1935, with respect to a plan of reorganization for the North Shore Gas Company and North Shore Coke & Chemical Company:

The Commission having entered an order on November 13, 1941, approving said plan, subject to certain conditions and reservations, including a reservation of jurisdiction with respect to the payment of fees and expenses incurred or to be incurred in connection with the plan, and directing that the applicants file with the Commission a notification and itemized statement of all claims against them for such fees and expenses;

The applicant companies and various claimants having filed statements with respect to the fees and expenses requested herein; a hearing having been held thereon after due notice; briefs having been filed and oral argument having been heard; the Commission having entered an order on December 3, 1942 with respect to certain of the fees and expenses in this proceeding; the Commission having considered the record:

It is ordered, That the following fees and expenses be and they hereby are al-

located against North Shore Gas Company and North Continent Utilities Corporation in the following manner; and that, as allocated the said fees and expenses are approved;

the state of the s	Allreated	egainst—
Claimant or expenditure	North Skyro Gw Co.	North Continent Tillines Conford tion
Control Fevablic Co. Foje & Ballard. John Guthr. John B. Wilcan Long B. Wilcan Long & Emat N. F. Lon Beyer T. Gifford. William Ecmy. A. W. Browno. F. W. Strake: Finnest Maren City Nestwal Bank & True Co. of Chicaro, Trucke. Bell, Boyd & Merchall. John J. Jiral. William M. Hammon'.	\$12.40 \$150.63 \$281.11 \$200.05 \$170.00 \$170.00 \$150.60 \$20.00 \$444.23	\$113.63

It is further ordered, That jurisdiction be and hereby is released as to the reasonableness of the following fees and expenses, and that such fees and expenses are allocated against North Shore Gas Company, North Continent Utilities Corporation, and the funds reserved for the expenses of the liquidation of North Shore Coke & Chemical Company, in the following manner:

		AII:	entri int-
Cjaimant ex expenditure	North Shora Cas Co.	North Continent Util- likes Corporation	Funds received for every penses of liquidation of North Shore Coke & Chemical Co.
Lincoln Printing Co. Expenses of Walliam A. Bachr Organization, Inc., in counce- tion with Laulianan of North Share Coke & Cham- ical Co.	631£C0		S224.45
Payment made by North Shore Cobe & Chemical Company to Stirry M. Special and Florence Nex- men.	3,000.00	83 , 000	

It is further ordered, That North Continent Utilities Corporation reimburse North Shore Gas Company in the amount of \$3,000, representing the amount paid by North Shore Coke & Chemical Company to Sidney M. Spiegel and Florence Nierman in excess of the amount allocated to North Shore Gas Company:

It is further ordered, That the amounts allocated against North Continent Utilities Corporation (other than the amounts to be paid to William M. Hammond and Central Republic Company) may be paid in installments, one-third within thirty days from the date of this order, onethird within one year after the expiration of such thirty-day period, and onethird within two years after the expiration of such period:

It is further ordered, That jurisdiction is reserved as to the fees and expenses of Pam, Hurd & Reichmann, Duff and Phelps, Arthur Young & Company, and of William A. Baehr Organization, Inc. except to the extent jurisdiction has herein been released.

The findings and opinion of the Commission will be issued in due course.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F. R. Doc. 43-232; Filed, January 5, 1943; 10:53 a. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF IS-SUANCE OF STOP CONSTRUCTION ORDERS STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board, has issued certain Stop Construction Orders listed in Schedule A below, stopping the construction of the projects affected. For the effect of each such order upon the construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 FR. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 5, 1943.

ERNEST KANZLER, Director General for Operations.

SCHEDULE A

Name and address of the builder	Project affected	Date of Issuance of stop construc- tion order
U. S. Dept. of Interior, Na- tional Park Service, Wash- ington, D. C.	FWA Docket 49-130.	12/30/42

[F. R. Doc. 43-227; Filed, January 5, 1943; 10:39 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in

Schedule A below partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6:80; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 5, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

Preference rating order	Serial No.	Name and address of the builder	Project affected	Date of issuance of revecation
P-19-h	PF 25021	FPHA c/o National Housing Agency, Washington, D. C.	Norfolk, Va., VA-44975-B	12/31/42

[F. R. Doc. 43-228; Filed, January 5, 1943; 10:39 a. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS RE-VOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued January 5, 1943.

ERNEST KANZLER,
Director General for Operations.

SCHEDULE A

[Preference Rating Order P-19-e. Date of issuance of revocation Dec. 29, 1942 in all cases]

Berial No.	Name and address of builder	Project affected
370E	Kansas State Hwy. Comm., Topeka, Kans.	Kan. 10-59-SNFA 392 F (1).
9139	Oklahoma State Hwy. Dept., Oklahoma City, Okla.	Okla. SN-FAP 593 B (1).
14647	Virginia Dept. of Hwys., Richmond, Va.	Va. 5N-FAP 523 F (3).
.14 650	Illnois Dept. of Public Wks., Springfield,	III. AI-FA 609 A (3).
17230	Texas State Hwy. Dept., Austin, Tex.	Tex. SN-FAP 800
18062	Georgia State Hwy. Bd., Atlanta, Ga.	D (1). Ga. SN-FAS 266-A (1).

SCHEDULE A.—Continued [Preference Rating Order P-10-c. Date of issuance of revocation Dec. 29, 1912 in all cases]

	revocation Dec. 29, 1842 in all cases]		
	Serial No.	Name and address of builder	Project affected
	20115	Arkansas State Hwy. Comm., Little Rock,	Ark. AW-FAS 110 B (1).
	22523	Ark. Oklahoma State Hwy. Comm., Oklahoma City, Okla.	Okla, SN-FAP (S- A (3).
	27498	California Dept. of Pub. Wks., Sacra- mento, Calif.	Calif. EN-FAF 179 B (2).
	24852	mento, Cain. California Dept. of Pub. Wks., Div. of Hwys., Sacramento, Calif.	Calif. SN-FAP 132 A (2).
	18769	Virginia Dept. of Hwys., Richmond, Va.	Va. SN-FAGH 415- A (2).
مد	33180E	Now Mexico Etato Hwy. Comm., Santa Fe, N. Mex.	N. Moz. SN-FAP 87 (3).
	34359	Arkansas State Hwy. Comm., Little Rock, Ark.	Ark. SN-FAP 178-A (3), SN-FAP 178- U (2).
	23186	California Dept. of Pub. Wks., Div. of Hwys., Sacramento, Calif.	Calif. SN-FAP 162- F (2) J (1).
	43593	Arkansas Stato Hwy. Comm., Little Rock, Ark.	Ark. SN-FAP 210 O (1).
	15798	Montana State Hwy. Comm., Helena, Mont.	McCone Co., Mont. FAP 217 D (2), F (3).
	9271	Tennessee Dept. of Hwys. & Pub. Wks	Tenn. FAGH 400 B (1), FAP 400 C (1).
	- 22522	Nashville, Tenn. Oklahoma State Hwy. Comm., Oklahoma City, Okla.	Wagoner, Okla. 9N- FAP 593-A (3).
	15990	Oklahoma State Hwy. Comm., Oklahoma City, Okla.	Scquoyah Co., Okla. SN-FAP 151 AB & SN-FAP 151 E (6).
	28187	Arkansas State Hwy. Comm., Little Rock, Ark.	Sebastian Co., Ark. SN-FAP 157 A (2).
	31002	Louisiana Dept. of Hwys., Baton Rouge, La.	Camp Claiborne, La. AW-FAS 27-A (1)
	108E	Kansas State Hwy. Comm., Topoka, Kans.	Onaga & Hilton Kan, 16-76-FA 521 A (1) SON-16-FA 419 (1).
	8591B	Wyoming State Hwy. Dept., Cheyenne, Wyo.	Rock Springs Airport Rd., Wyo., FAOS 26-B (1).
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[F. R. Doc. 43-229; Filed, January 5, 1943; 10:39 a. m.]